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THE

CIVIL JUSTICE REPORT

OF

LOWER BURMA

FOR

THE YEAR 1887.

RANGOON:

PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRINTING, BURMA.

1888.

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RESOLUTION

ON

THE CIVIL JUSTICE REPORT

OF

LOWER BURMA

FOR

THE YEAR 1887.

Extract from the Proceedings of the Chief Commissioner, Burma, in the Judicial Department.—No. 208., dated the 14th July 1888.

READ—

Report on the administration of civil justice in Lower Burma during the year 1887.

RESOLUTION.—The considerable decrease in litigation as compared with previous recent years which took place in 1886 was continued in 1887. There was a further slight decrease in the number of suits instituted in Rangoon and a slight increase in the number instituted in the rest of the province. The effect of the disturbances of 1886 which continued, though to a mitigated extent, in 1887 has not yet passed off. There are, however, no grounds for believing that a permanent diminution in litigation will take place. As complete tranquillity is restored it is probable that litigation will gradually rise to the level of the years preceding 1886. The classification of suits according to value gives much the same results as in former years: 16·22 per cent. of the suits instituted in 1887 were below Rs. 10, 43·38 per cent. were below Rs. 50 in value. The high percentage of suits of small value indicates the unimportant nature of the large mass of the litigation of the province. The Burmese do not readily avail themselves of the assistance of Civil Courts. Many disputes, which in other provinces of India would be the subject of civil suits, are settled without reference to the Courts by village headmen or elders. The custom of referring disputes of all kinds to village elders is deeply rooted in the nature of the people, and it still prevails to a considerable extent notwithstanding the introduction of definite laws and codes. The Chief Commissioner is inclined to think that it would be a wise policy to give a legal sanction to the custom.

2. *Disposal of business.*—There was little variation in the manner of disposal of business. The percentage of suits disposed of without contest was 61·19 as against 60·73 in 1886; the percentage disposed of with contest was 35·84 as against 34·97 in the former year. The comparatively large increase in the number of cases referred to arbitration appears to be principally due to the action of the Judge of the Small Cause Court, Henzada, who used his personal influence to induce parties to settle cases in this manner. As a general rule the provisions in the Civil Procedure Code regarding arbitration are little used in Burma as the

elaborate procedure which they prescribe is ill-suited for adoption in petty cases. The principle of arbitration is, as explained above, well understood in Burma, but it is generally applied without reference to the Civil Courts. The Chief Commissioner notices with satisfaction that a considerable proportion of the civil cases coming before the Deputy Commissioner of the Arakan Hill Tracts were referred to arbitration, and that the Deputy Commissioner advised arbitration to the parties in all cases. This practice is a good one and should be continued. There was a considerable improvement in the celerity of disposal of civil business. The average duration of contested cases fell from 29 days in 1886 to 24 in the year under review, of uncontested cases from 19 to 15. The decrease was common both to the Rangoon Courts and to the Courts of the interior. In the case of the latter it was no doubt due to the greater tranquillity of the province. Subordinate Judges in the interior, most of whom also perform criminal and general duties, were able to sit more regularly at headquarters and consequently to dispose of business with greater expedition than in 1886. The Chief Commissioner observes that the duration of contested cases in Moulmein, to which reference was made in last year's Resolution, was no shorter in 1887 than in the previous year. Ninety-eight days is an unnecessarily high average of duration of cases in a Court having jurisdiction in a single town where many of the causes of delay which prolong litigation in Courts having extended jurisdiction do not exist. The Chief Commissioner hopes that an improvement will be visible in next year's report.

3. *Execution of Decrees.*—The number of applications for execution of decrees was nearly the same in 1887 as in 1886 and there was little variation in the percentages of complete or partial satisfaction of decrees. The only point calling for notice in connection with these statistics is the diminution in the frequency with which coercive measures were resorted to by holders of decrees. Imprisonments in execution of decrees fell from 445 to 361, sales of moveable property from 851 to 652, and sales of immoveable property from 706 to 552. It is a somewhat remarkable fact that since 1884 imprisonments in execution of decrees have steadily decreased in the interior of the province. Whereas in 1884 they numbered 487, in the year under review they had fallen to 224. It is difficult to account for this phenomenon except on the supposition that creditors find less difficulty than formerly in recovering their debts, in other words, that the wealth of the country is increasing. The decrease in the frequency with which the coercive machinery of the civil law has been put in motion during 1886 and 1887 tends to show that the disturbances which have prevailed during those years have had no appreciable effect on the general prosperity of the country or on the rural landholders who have been the principal sufferers from the ravages of dacoits. The Chief Commissioner has read with interest the report by Maung Ogh, the Karen Extra Assistant Commissioner of Thigwin, on the measures taken to protect Karen suitors in the Bassein district. The Extra Assistant Commissioner appears to take an intelligent interest in the welfare of the Karens within his jurisdiction and may be trusted to see that the safeguards which the law has provided for their protection are properly applied.

4. *Appeals.*—The number of appeals preferred against decrees in 1887 was 1,451 as against 1,417 in 1886. The percentage of reversal was nearly the

same in 1887 as in 1886. The remarks of the Judicial Commissioner on the subject of unnecessary disturbance of findings of subordinate Courts on matters of fact are commended to the attention of Deputy Commissioners. The Chief Commissioner notices with satisfaction that there was a great improvement in the promptitude with which appeals were disposed of. The average duration of appeals was 33 days, or exactly the same as in 1885. It is creditable to the Deputy Commissioners of the province, on whom most of the appellate work of the province falls, that in spite of disturbances which prevailed in 1887 they were able to dispose of the civil business which fell to their share as promptly as in 1885, when the country was undisturbed.

5. *Cost of litigation.*—The new scale of fees for processes, which was introduced in October 1886, was in operation during the year 1887. The financial result has been a considerable diminution in the receipts from process fees, which, however, still exceed by several thousand rupees the cost of process-serving. The full effect of the new scale of fees has not yet become apparent because the exceptional circumstances of 1886 and 1887 have checked the increase in litigation which might have been expected to result from the reduction of its cost.

6. The Chief Commissioner desires to thank the Judicial Commissioner for the large amount of useful work in the way of inspections carried out by him during the year and for the various improvements which he has introduced in connection with civil forms and registers.

By order of the Chief Commissioner,

H. THIRKELL WHITE,

Secretary.

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THE CIVIL JUSTICE REPORT OF LOWER BURMA FOR THE YEAR 1887.

PART I.

Courts exercising jurisdiction in the Town of Rangoon.

SPECIAL COURT OF LOWER BURMA.

THE following comparative table shows the work of the past two years on this side of the Court:—

Year.	Number of appeals pending at the close of the previous year.	Number of appeals presented in 1887.	Total for disposal.	Result.					
				Confirmed.	Dismissed.	Modified.	Reversed.	Remanded.	Pending.
1886	2	6	8	...	2	...	1	...	5
1887	5	8	13	...	7	1	3	...	2

2. Besides the above there were two miscellaneous appeals from orders of the Judge of Moulmein in the exercise of his insolvency jurisdiction which were pending at the close of the year.

3. There were also five miscellaneous applications which were disposed of during the year.

4. There was one reference by the Judicial Commissioner in the following terms. What is the nature and extent of the estate which the administrator administers in respect of the property of one of a Burman Buddhist married pair so far as relates to property acquired during the marriage? It was held that the administrator in the discharge of his trust deals with the whole of the property acquired during marriage as appertaining to the estate to be administered.

5. The result of an appeal preferred to the Privy Council in 1885 was received during the year, the judgment and decree of this Court being affirmed and the appeal dismissed.

6. Leave was granted in one case during the year to appeal to Her Majesty in Council against the judgment and decree of this Court, but it was not preferred as the appellant failed to deposit the required security.

7. The revenue of the Court during the year from court-fee stamps amounted to Rs. 1,027-13-0 and the expenditure to Rs. 1,800. In the previous year the revenue was Rs. 1,627-2-0 and the expenditure Rs. 1,682-12-8.

8. The Judges of the Court from the 1st to the 10th January 1887 were Mr. Meres and Mr. MacEwen, and from the 11th January to the 31st December 1887 Mr. Agnew and Mr. Meres.

RANGOON:
The 13th March 1888.

W. F. MERES.
R. S. T. MACEWEN.
Judges of the Special Court of Lower Burma.

COURT OF THE RECORDER OF RANGOON.

Report on the administration of civil justice in the Court of the Recorder and in the Court of Small Causes, Rangoon, for the year 1887.

THE following tables show the work of the past two years and the fees realized on the civil side of the Recorder's Court:—

Year.	Number of suits instituted.							Number of suits disposed of.							Number of suits pending.							Value of suits instituted.	Value of suits disposed of.
	Regular.	New trials.	Reviews.	Vice-admiralty jurisdiction.	Insolvency.	Miscellaneous and executions.	Total.	Regular.	New trials.	Reviews.	Vice-admiralty jurisdiction.	Insolvency.	Miscellaneous and executions.	Total.	Regular.	New trials.	Reviews.	Vice-admiralty jurisdiction.	Insolvency.	Miscellaneous and executions.	Total.	Rs.	Rs.
1886 ...	234	4	...	...	40	585	783	200	5	...	2	55	405	757	71	...	...	...	13	118	106	12,05,250	12,10 052
1887 ...	244	6	...	...	29	407	686	200	5	...	...	38	503	801	58	1	...	...	9	75	92	6,86,722	12,48,200
Increase ...	10	2	...	...	...	...	...	...	...	...	...	...	98	44	...	1	...	...	...	...	...	...	1,29,214
Decrease ...	...	...	...	...	11	98	97	80	...	...	2	22	...	...	16	...	...	...	4	95	114	5,19,528	...

Statement of Court-fees realized.

Year.	Process fees.	Amount realized under Act VII of 1870, Schedule I, Articles 1 to 9 inclusive.	Amount realized under the same schedule, Nos. X to XII.	Amount realized under Schedule II.	Total.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1886 ...	3,233 8 0	46,801 9 0	9,643 0 0	1,565 8 0	60,743 4 0
1887 ...	2,926 0 0	34,878 8 0	25,690 0 0	1,619 12 0	65,114 4 0
Increase ...	.....	.....	16,047 0 0	54 9 0	4,371 0 0
Decrease ...	307 8 0	11,423 1 0	.....	.....	.....

2. The result has been an *increase* in 1887 in regular suits and a decrease in insolvency cases and miscellaneous applications as compared with 1886. The decrease in insolvency cases is a good sign and means a more healthy condition of trade. The decrease in miscellaneous applications is a mere fluctuation. There is no rule of guidance in these matters. The number of cases of all kinds disposed of in 1887 was 44 *more* than in 1886.

3. In 1886 court-fee stamps realized Rs. 60,743-4-0 and in 1887 Rs. 65,114-4-0, or an increase of Rs. 4,371-4-0.

4. There were 14 applications made to this Court under section 622 of the Civil Procedure Code and under section 25 of the Provincial Small Cause Courts Act, 1887, for revision of the judgments and decrees passed by the First Judge of the Small Cause Court. In two of these cases the orders were reversed, one application was rejected, in one case an amendment was ordered and procedure

pointed out, and one was pending at the close of the year; the decisions in the remaining nine cases were not interfered with. There were 13 applications for revision of the orders of the Second Judge. In three of these the orders were reversed, three applications were rejected, and the orders in the remaining seven cases were not interfered with.

5. During the year two appeals were preferred to the Privy Council and one to the High Court, Calcutta, from the judgments and decrees of this Court, and were pending at the close of the year. Of the two appeals which were preferred to the Privy Council in the previous year, and which were pending at the close of last year, one was dismissed and the other is still pending. The appeal which was preferred to the High Court, Calcutta, in the previous year was dismissed in the year under report. There was one reference to the High Court, Calcutta, under section 54 of the Burma Courts Act which is still pending, and two references under the Indian Divorce Act; in one case the decree of this Court was confirmed, the other is still pending.

6. The following table shows the classes to whose estates probates and letters-of-administration were granted during the year 1887, and the value of the estates :—

Class.	Number of probates granted.	Number of letters-of-administration granted.	Number of letters-of-administration with will.	Value of estates.
				Rs. A. P.
European and Eurasians	8	6	1	1,14,987 8 0
Buddhists { Burmese	...	3	...	2,900 0 0
Buddhists { Chinese	1	...	...	55,000 0 0
Mahomedans	3	23	1	12,27,370 10 11
Hindus	3	5	...	31,350 0 0
	15	37	2	14,31,558 2 11

In the previous year 12 probates, 22 letters-of-administration, and 1 with will annexed were granted. The value of estates amounted to Rs. 2,45,810 and the court-fee stamps to Rs. 9,643. The amount of court-fees recovered under this head in the year under review was Rs. 16,047 *more* than in 1886.

Vice-admiralty Jurisdiction.

7. There were no cases filed under this jurisdiction during the year.

Insolvency Jurisdiction.

8. The following table shows the particulars of the insolvency business during the year :—

Number of persons whose applications were pending at the close of 1886.	Number of petitions filed during 1887.	Number of persons.	Total number of persons.	Result							
				Personal discharge granted.	Final discharge granted.	Adjudicated insolvents.	Dismissed.	Rejected.	Withdrawn.	Struck off in default or annulled.	Pending.
15	29	32	47	21	6	...	5	1	2	1	11

9. The following table gives in detail the receipts and expenditure for the year 1887 :—

Receipts.				Expenditure.			
	Rs.	A.	P.		Rs.	A.	P.
Amount realized by court-fee stamps.	65,114	4	0	Recorder	35,808	8	8
Amount of stamp penalty	121	0	0	Additional Recorder	34,748	6	8
Excess of expenditure over receipts.	34,887	11	9	Clerks	25,800	0	10
				Servants	1,464	0	0
				Process-serving Establishment.			
				One-third of bailiff's salary and two peons, the remainder being charged to the Small Cause Court.	1,840	0	0
				Contingencies	1,467	5	0
Total ...	1,00,122	15	9	Total ...	1,00,122	15	9

10. Mr. MacEwen continued to officiate as Recorder from the 1st to the 10th January, and Mr. Agnew resumed charge on the 11th January and presided till the end of the year. Mr. Fox officiated as Additional Recorder from the 1st to the 10th January, and Mr. MacEwen was Additional Recorder from the 11th January to the end of the year.

THE COURT OF SMALL CAUSES.

11. There were 4,667 regular and 3,997 miscellaneous suits and applications instituted during the year, making a total of 8,664 suits.

12. The number of suits of all kinds filed in 1886 was 8,891, so that there was a decrease in 1887 of 227 suits in all. There were 1,129 plaints filed in Burmese before the Second Judge in 1887.

13. The total value of suits instituted in 1887 was Rs. 4,70,158-1-11, being a decrease in the previous year of Rs. 15,183-2-8. The average amount at issue in each case was Rs. 100-11-6, that in 1886 was Rs. 97-11-11. Eight thousand seven hundred and sixty-one suits of both classes were disposed of in 1887.

14. The First Judge disposed of 2,304 regular and 2,802 miscellaneous suits, making a total of 5,106, while the Second Judge disposed of 2,521 regular and 1,134 miscellaneous suits, making a total of 3,655. The First Judge disposed of 518 contested cases, the average duration of which was 61·59, and 1,786 uncontested cases, the average duration being 32·52. The Second Judge disposed of 571 contested and 1,950 uncontested cases, the average duration being 32·88 and 20·98 respectively.

15. The number of suits pending at the close of the year was 354 regular and 150 miscellaneous, making a total of 504. The number pending at the close of 1886 was 400 regular and 124 miscellaneous, making a total of 524.

16. There were 2,716 applications to execute decrees in 1887. In 1886 there were 2,629 such applications. There were 1,215 miscellaneous applications other than applications for execution of decrees filed in 1887. In 1886 there were 1,304 such applications.

17. There were 27 applications filed under Chapter XX of the Code of Civil Procedure. In 1886 there were 32 such applications.

18. The value of court-fee stamps used was Rs. 49,216-11-0, showing an increase on the previous year of Rs. 3,136-2-0. The financial statement which follows shows an excess of receipts over expenditure of Rs. 18,359-7-1.

19. The following is a statement of receipts and expenditure for the year 1887 :—

Receipts.	Amount.	Expenditure.	Amount.
	Rs. A. P.		Rs. A. P.
Amount realized by stamps on institutions.	88,794 7 0	First Judge's pay	9,060 0 0
Tullubana funds collected in stamps.	10,422 4 0	Second Judge's pay	5,302 11 0
Fines	73 5 0	Establishment	13,064 11 11
Stamp penalty levied on insufficiently stamped documents.	168 12 0	Contingencies	765 12 0
By sale of empty stationery cases	0 8 0	Two-thirds share of bailiff's pay, two-thirds share of the head peon's pay, and pay of eight peons of the bailiff's establishment debited to this Court by direction of the Recorder of Rangoon.	2,912 0 0
By sale of unserviceable furniture	5 6 0		
			31,105 2 11
		Balance of receipts over expenditure.	18,359 7 1
Total ...	49,464 10 0	Total ...	49,464 10 0

20. Mr. William Bigge was the First Judge of the Small Cause Court from the 1st January to the 21st April and from the 7th to the 31st December 1887, and was on sick leave during the interval, when Mr. E. U. Eddis, Barrister-at-Law, officiated as First Judge. Maung Ba Wa, the Second Judge, was absent on sick leave from the 22nd August to the 14th November 1887, the First Judge doing the work of both Courts during Maung Ba Wa's absence.

General.

21. This report has been prepared in strict compliance with the orders of Government contained in Resolution No. 561, dated the 27th January 1888, paragraph 2.

22. The total cost of the four Courts for civil justice in Rangoon for the year 1887 has been Rs. 1,31,228-2-8 and the total revenue from court-fee stamps of all kinds Rs. 1,14,699-14-0, giving an excess of expenditure over income of Rs. 16,528-4-8 only. The Court of the Recorder is also the principal Court of criminal justice for the Rangoon Town district and for the whole of Burma for the trial of European British subjects, and the Recorder is a member of the Special Court for Lower Burma.

23. Much of the trade of Rangoon is with Upper Burma. The disquiet in the upper province, although not so great as in 1886, undoubtedly affected trade in 1887 also and consequently litigation. Trade is now reviving everywhere, and there are indications on all sides that it is of a more healthy and extended character than it has been for some years past. The business in the Insolvent Court generally furnishes a fair indication on this point. The number of insolvencies in 1887 was less by 11 cases than in 1886 and, what is of more consequence, the amount involved was less by one-half.

24. The great desideratum, so far as the Recorder's Court is concerned, is a local appeal in all cases. This is provided by the Chief Court Bill, and there is every reason to believe that as soon as that Bill becomes law the business and income of the Court will increase considerably. The chances are that the increase in income will more than balance the increase in expenditure.

RANGOON:
The 27th March 1888.

R. S. T. MACEWEN,
Officiating Recorder.

PART II.

Courts under the Supervision of the Judicial Commissioner.

From W. F. MEREs, Esq., Officiating Judicial Commissioner, Lower Burma, to the Secretary to the Chief Commissioner, Burma,—No. 393-35, dated the 26th April 1888.

I BEG to submit the civil justice statements for 1887 for the whole province including the Special Court and the town of Rangoon. The report, however, deals only with the figures of my own Court and of the Courts subordinate to my own including the Court of the Hill Tracts of Arakan.

2. No original suits were disposed of by me in 1887.

3. *Courts subordinate to the Judicial Commissioner.*—The total number of suits instituted in each year since 1880 is as follows:—

1880	27,530	1884	30,148
1881	27,675	1885	27,961
1882	28,215	1886	27,286
1883	28,906	1887	27,456

The institutions of 1887 are lower than those of any of the past seven years except 1886, and they are only 170 in excess of the institutions of that year. The increase is distributed over the three divisions of Arakan, Irrawaddy, and Tenasserim. It is probably due to returning quiet after the disturbances of 1886. There is very little variation in the amount of litigation from year to year in the province.

The following table shows the number of cases instituted in the different Courts of original jurisdiction, the number disposed of, and the state of the files at the close of the year as compared with similar results for the preceding year:—

Division.	Name of district.	Instituted.		Disposed of.		Pending at close of year.			
						Above four months.		Total pending.	
		1886.	1887.	1886.	1887.	1886.	1887.	1886.	1887.
ARAKAN.	Akyab	1,445	1,670	1,509	1,678	1	3	16	23
	Akyab Small Cause Court	497	508	508	520	...	...	5	1
	Kyaukpyu	706	640	705	630	...	...	11	19
	Sandoway	267	290	267	297	...	...	6	...
	Northern Arakan	229	105	209	118		...	14	1
	Total ...	3,136	3,213	3,198	3,253	1	3	52	37
PEGU.	Hanthawaddy	953	980	961	980	...	...	15	8
	Pegu	1,591	1,748	1,608	1,770	...	...	40	26
	Pegu Small Cause Court	45	...	51	...	...	...	...	...
	Tharrawaddy	1,717	1,807	1,715	1,832	...	...	53	30
	Tharrawaddy Small Cause Court ...	...	...	...	...	...	...	...	...
	Prome	1,608	1,773	1,659	1,760	...	...	41	58
	Prome Small Cause Court	207	100	210	80	...	...	...	11
	Judicial Commissioner, Lower Burma ...	...	...	...	...	...	...	...	...
	Total ...	6,321	6,408	6,404	6,440	...	...	149	127
IRRAWADDY.	Henzada	1,019	1,221	994	1,535	...	...	46	31
	Henzada Small Cause Court	785	611	791	504	...	...	7	14
	Bassein	2,919	2,930	2,896	2,999	...	...	96	97
	Bassein Small Cause Court	653	505	649	500	...	...	7	3
	Thongwa	3,304	3,178	3,300	3,163	...	11	77	86
	Thôngwa Small Cause Court	...	96	...	81	...	...	...	14
	Thayetmyo	1,103	1,022	1,156	1,000	...	...	32	53
	Thayetmyo Small Cause Court ...	164	65	165	65	...	...	...	...
	Total ...	10,007	9,823	10,001	9,796	...	11	265	298
TENASSERIM.	Amherst	1,553	1,471	1,558	1,474	...	1	30	33
	Amherst Small Cause Court	84	154	83	153	...	...	1	2
	Shwegyin	1,074	1,220	1,066	1,204	...	...	35	45
	Shwegyin Small Cause Court	348	231	355	235	...	...	4	...
	Toungoo	555	799	542	791	...	...	27	33
	Toungoo Small Cause Court	542	345	562	350	...	...	6	1
	Tavoy	526	510	530	515	...	...	10	15
	Mergui	537	469	544	456	...	...	10	13
	Salween	56	60	55	60	...	...	2	2
	Moulmein Judge's Court	118	201	113	202	15	14	30	29
	Moulmein Small Cause side ...	2,403	2,574	2,430	2,683	12	28	223	113
	Total ...	7,890	8,013	7,787	8,103	27	43	378	295
	GRAND TOTAL ...	27,986	27,456	27,990	27,591	28	57	844	748
	Increase ...	...	170	...	201	...	29	...	...
	Decrease ...	...	...	...	...	...	...	...	96

The increase and decrease of institutions in the different districts in the year are shown below—

Division.	Name of district.	Increase.		Decrease.	
		Instituted.	Disposed of.	Instituted.	Disposed of.
Arakan.	Akyab	236	181	...	...
	Kyaukpyu	...	...	66	66
	Sandoway	28	30	...	...
	Northern Arakan	...	...	118	91
	Total ...	75	54	...	...
Pegu.	Hanthawaddy	27	28	...	...
	Pegu	112	111	...	...
	Tharrawaddy	90	117	...	...
	Prome	...	...	142	220
	Judicial Commissioner, Lower Burma	...	...	...	...
	Total ...	87	86	...	...
Irrawaddy.	Henzada	228	254	...	...
	Bassein	...	...	137	87
	Thôngwa	...	...	96	116
	Thayetmyo	...	...	180	256
	Total ...	...	...	185	205
Tenasserim.	Amherst	38	36	...	...
	Shwegyin	22	8	...	..
	Toungoo	89	87	...	...
	Tavoy	...	...	17	24
	Mergui	...	...	68	78
	Salween	...	...	16	15
	Moulmein	195	352	...	...
	Total ...	193	316	...	...
	Grand Total ...	170	201	...	...

4. The following table shows the character of the original litigation in the different districts and classes of Courts :—

Division.	Name of district.	Number of suits.													
		On written obligation.	On unwritten obligation.	On account stated.	For money had and received.	For goods sold.	For breach of contract not mentioned above.	For rent.	For moveable property or value thereof.	For damages.	For immoveable property or interest therein.	For specific performance of contract.	For dissolution of marriage or for enforcement of matrimonial rights.	Other suits.	Total.
Arakan.	Akyab	531	259	2	32	198	65	168	212	115	69	4	35	50	1,670
	Akyab Small Cause Court.	200	51	3	29	118	73	4	19	6	...	...	...	...	503
	Kyaukpyu	109	121	2	5	41	45	13	113	73	67	1	9	22	640
	Sandoway	28	43	6	4	48	10	11	64	36	28	2	7	3	290
	Northern Arakan ...	...	...	...	53	7	6	1	7	5	5	...	20	1	106
	Total ...	874	474	13	123	349	199	197	415	234	169	7	71	76	3,213
Pegu.	Hanthawaddy ...	206	217	5	21	99	74	90	225	52	32	2	10	6	969
	Pegu	510	533	19	24	146	141	15	189	63	30	...	42	15	1,748
	Tharrawaddy ...	244	210	1	45	106	66	9	308	470	72	1	61	34	1,807
	Tharrawaddy Small Cause Court.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Prome	297	281	16	85	202	52	57	189	271	198	5	93	87	1,778
	Prome Small Cause Court.	80	15	1	6	44	...	4	...	...	...	...	...	...	100
	Judicial Commissioner, Lower Burma.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	1,377	1,256	42	181	777	333	108	1,001	876	282	8	145	144	6,608
Irrawaddy.	Henzada	203	140	16	190	181	50	8	124	456	114	1	79	9	1,521
	Henzada Small Cause Court.	90	94	38	123	107	8	7	36	9	...	...	...	...	511
	Bassein	430	506	11	80	516	107	21	283	531	133	...	99	53	2,980
	Bassein Small Cause Court.	169	87	2	...	155	30	...	27	15	...	...	...	...	505
	Thôngwa	600	844	5	30	792	201	15	156	303	61	1	60	15	3,173
	Thôngwa Small Cause Court.	10	26	...	...	50	9	...	...	...	...	...	...	...	95
	Thayetmyo	226	176	...	8	151	32	16	111	166	73	...	32	11	1,022
	Thayetmyo Small Cause Court.	32	3	...	...	17	10	3	...	...	...	...	...	...	65
	Total ...	1,766	1,876	73	431	1,919	577	70	897	1,493	401	2	290	88	9,882
Tenasserim.	Amherst	440	332	15	29	137	127	10	215	49	57	6	36	18	1,471
	Amherst Small Cause Court.	48	75	...	...	22	2	4	...	3	...	...	...	...	154
	Shwegyin	228	231	13	19	346	79	41	174	26	30	...	33	...	1,220
	Shwegyin Small Cause Court.	21	70	...	...	76	11	2	14	27	...	...	...	...	221
	Toungoo	203	73	8	38	113	28	35	108	68	39	...	48	38	799
	Toungoo Small Cause Court.	143	29	7	25	41	19	12	66	3	...	...	...	...	345
	Tavoy	80	71	3	25	107	40	37	56	34	41	...	13	10	519
	Mergui	163	60	2	78	66	29	3	9	17	7	...	6	2	409
	Salween	9	10	1	...	10	4	...	1	2	...	...	2	1	40
	Moulmein Judge's Court	49	4	5	6	2	1	...	17	5	10	1	6	99	201
	Moulmein Small Cause side.	1,346	189	71	93	416	286	89	86	10	...	...	...	1	2,574
	Total ...	2,730	1,144	123	303	1,356	626	236	750	242	184	7	146	176	8,013
	Grand Total ...	6,647	4,750	250	1,037	4,994	1,735	599	3,003	2,845	1,025	24	652	484	27,456
	In 1886 ...	7,589	4,796	285	1,134	4,126	1,305	689	2,979	2,319	990	41	598	435	27,286
	Increase ...	...	...	...	...	868	370	...	24	526	106	...	54	49	170
	Decrease ...	942	46	35	97	...	...	90	...	...	...	17	...	...	...

Increased attention has been paid to the classification of suits, with the result that in 1887 only 44 cases could not be classed under any of the heads of Table No. 7. The bulk of the suits are on written or unwritten obligations, or for goods sold, and are of a very simple character. One of the most striking characteristics of suits in this country is the extent to which women are concerned in them. The Burmese wife usually takes an active and often a leading part in the business of her husband. She usually joins with him in contracts. Indian money-lenders encourage this as the arrest of the wife in execution is sometimes made use of to bring about the payment of a decree. The recent change of the law will defeat this contrivance for bringing pressure to bear on the woman's relatives. The wife very often personally conducts the case for herself and her husband. Instances have occurred in my own Court when the wife brings up a case in second appeal without professional assistance. I remember in one case suggesting to the lady that it would be well

that her husband should be present to assist her. She consented to fetch him, and he informed me that his wife knew more about the case than he did, and that she would speak for both of them. He then left the Court. To those acquainted with the Indian custom of the seclusion of women the freedom enjoyed by women here is one of the most striking features of the social life of the Burmese. Nowhere outside the dreams of Miss Lydia Bekker is the emancipation of woman more complete than in Burma.

In suits for immoveable property there is a small increase of 106 cases. Matrimonial suits show an increase of 54.

5. The table below shows the value of original suits :—

Division.	Name of district.	Number of suits instituted valued at not exceeding.							Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.	Total value of suits.
		Rs. 10.	Rs. 50.	Rs. 100.	Rs. 500.	Rs. 1,000.	Rs. 5,000.	Rs. 10,000.			Rs. A. P.
Arakan.	Akyab	270	679	247	359	68	18	1	3	25	3,50,638 5 9
	Akyab Small Cause Court ..	110	261	137	..	..	..	..	..	..	18,192 14 3
	Kyaukpyu	194	298	88	42	3	1	..	..	14	27,082 3 2
	Sandoway	123	110	38	10	1	..	..	..	3	3,737 3 4
	Arakan Hill Tracts ..	10	55	22	16	1	..	..	..	1	6,382 11 3
	Total ..	707	1,403	532	427	73	19	1	3	48	4,11,033 10 9
Pegu.	Hanthawaddy	86	356	294	195	15	7	1	1	25	1,10,065 14 10
	Pegu	116	628	480	454	21	31	2	..	41	2,28,981 12 1
	Tharrawaddy	287	932	333	168	1	1	..	..	35	88,508 9 7
	Tharrawaddy Small Cause Court.	..	..	..	..	..	..	..	..	..	..
	Prome	401	808	315	193	13	6	2	..	35	1,16,065 12 3
	Prome Small Cause Court ..	22	49	15	14	..	..	..	..	..	4,517 7 7
	Judicial Commissioner, Lower Burma.	..	..	..	..	..	..	..	..	..	..
	Total ..	912	2,768	1,437	1,004	50	45	5	1	136	5,48,139 8 4
Irrawaddy.	Henzada	218	679	354	178	11	4	..	..	77	96,771 12 10
	Henzada Small Cause Court	186	239	54	32	..	..	..	..	..	17,354 8 5
	Bassein	462	1,217	632	454	37	18	5	4	101	3,22,175 0 8
	Bassein Small Cause Court ..	164	271	70	..	..	..	..	..	..	18,270 2 6
	Thôngwa	566	1,336	684	472	22	5	..	..	88	2,19,014 0 7
	Thôngwa Small Cause Court	38	62	..	..	..	..	..	..	..	1,700 6 3
	Thayetmyo	232	464	168	109	5	7	..	..	37	1,00,033 10 11
	Thayetmyo Small Cause Court	19	31	9	6	..	..	..	..	..	2,571 6 4
	Total ..	1,880	4,299	1,971	1,251	75	34	5	4	303	7,73,891 0 6
Tenasserim.	Amherst	172	648	318	284	10	5	1	..	26	1,32,069 0 1
	Amherst Small Cause Court..	29	135	..	..	..	..	..	..	..	3,871 14 3
	Shwegyin	174	492	280	227	10	3	1	..	33	1,14,160 4 11
	Shwegyin Small Cause Court	80	141	..	..	..	..	..	..	..	4,658 13 0
	Toungoo	97	267	98	234	25	17	2	..	59	1,19,861 10 8
	Toungoo Small Cause Court..	66	192	87	..	..	..	..	..	..	12,152 8 4
	Tavoy	101	275	82	54	8	2	..	..	2	29,672 11 10
	Mergui	71	228	95	64	2	1	..	..	8	29,145 12 8
	Salween	6	16	3	12	..	..	..	..	3	3,186 3 3
	Moulmein Judge's Court ..	..	..	9	51	18	92	12	10	9	4,91,719 4 0
	Moulmein Small Cause side	365	1,098	497	554	60	..	..	..	..	2,28,199 12 0
	Total ..	1,168	3,482	1,469	1,480	128	120	16	10	140	11,03,697 15 0
	Grand Total ..	4,667	11,952	5,409	4,162	326	218	27	18	677	28,96,262 2 7
	In 1886 ..	4,352	11,536	5,511	4,728	373	205	17	18	546	28,04,028 7 5
	Increase ..	315	416	..	..	..	13	10	..	131	92,233 11 2
	Decrease ..	..	..	102	566	47	..	..	..	..	..

The valuation of suits in 1887 is nearly the same as in 1886. Of the 27,156 cases instituted in 1887 60 per cent. did not exceed Rs. 50 in value and 80 per cent. of them did not exceed Rs. 100.

In the Arakan division the total value of the institutions is Rs. 4,11,033 as compared with Rs. 2,75,500 of 1886. Three heavy suits exceeding Rs. 10,000 in Akyab have brought up the figures. In the Pegu division there

is a falling-off of about a lakh of rupees in the Pegu district. The figures for the Irrawaddy division are nearly the same as in 1886. The Moulmein Judge's Court shows an increase of nearly a lakh-and-a-half. Elsewhere in the Tenasserim division there is but little change. On the whole there is an increase of Rs. 92,233 in the value of suits in the whole province outside Rangoon.

6. The manner in which the litigation was disposed of in the several Courts is shown below—

Division.	Name of district.	Number of cases brought on the file including pending from last year.	Transferred.	Plaint rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	Contested cases.		Total disposed of.	Pending.	Referred to arbitration.
											Judgment for plaintiff in whole or in part.	Judgment for defendant.			
Akyab	Akyab	1,701	6	2	278	30	233	189	379	6	385	208	1,678	23	1
	Akyab Small Cause Court	521	3	...	69	6	37	73	140	5	120	41	500	1	...
	Kyaukpyu	651	3	...	96	10	68	107	70	41	155	79	629	12	13
	Sandoway	207	...	1	37	3	63	49	20	1	74	43	297	...	...
	Arakan Hill Tracts	110	...	4	17	2	12	25	18	...	5	11	116	1	24
	Total	3,289	12	7	517	51	413	443	642	55	709	377	3,252	37	38
Pegu	Hanthawaddy	997	1	...	281	15	65	169	82	23	201	91	929	6	5
	Pegu	1,790	...	7	483	18	87	374	296	13	384	104	1,770	20	10
	Tharrawaddy	1,971	1	1	493	20	120	152	146	25	551	314	1,813	20	8
	Tharrawaddy Small Cause Court.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Prome	1,813	5	2	434	24	71	198	127	50	596	256	1,760	53	2
	Prome Small Cause Court	100	...	...	25	...	...	29	16	...	15	4	89	11	...
	Judicial Commissioner, Lower Burma.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total	6,577	7	10	1,716	72	343	922	607	111	1,896	849	6,440	137	22
Irrawaddy	Henzada	1,660	1	1	189	31	122	102	58	152	512	276	1,595	31	11
	Henzada Small Cause Court	618	...	...	170	...	18	88	44	9	88	26	504	14	61
	Bassein	3,026	4	...	764	14	137	297	361	28	914	409	2,940	67	2
	Bassein Small Cause Court	512	...	...	154	3	25	136	75	...	102	34	509	3	...
	Thôngwa	3,940	2	3	1,121	53	126	424	350	5	708	306	3,103	95	7
	Thôngwa Small Cause Court.	95	...	...	38	...	1	11	13	...	10	6	81	14	...
	Thayetmyo	1,053	1	2	248	50	92	94	85	9	281	125	1,000	53	5
	Thayetmyo Small Cause Court.	95	...	1	9	3	...	25	10	...	15	2	65	...	...
	Total	10,084	8	7	2,672	163	537	1,241	1,016	203	2,090	1,181	9,796	288	86
Tenasserim	Amherst	1,507	7	8	110	42	80	200	246	111	422	199	1,474	33	6
	Amherst Small Cause Court	155	...	...	...	...	64	31	25	...	20	3	153	2	...
	Shwegyin	1,249	7	5	184	25	131	255	123	...	332	144	1,204	45	5
	Shwegyin Small Cause Court	225	1	...	33	4	2	60	38	...	75	13	225	...	...
	Toungoo	894	2	1	70	25	70	167	66	4	256	121	791	33	1
	Toungoo Small Cause Court	351	...	...	51	6	10	64	58	...	123	39	350	1	...
	Tavoy	330	...	2	90	3	19	61	20	4	188	106	515	15	...
	Mergui	479	...	...	1	7	51	185	66	2	123	33	466	13	...
	Salween	49	...	1	14	1	1	4	6	1	9	4	40	8	1
	Moulmein Judge's Court	231	...	...	10	11	8	21	41	1	92	14	209	20	4
	Moulmein Small Cause side	2,790	1	5	430	25	61	111	1,035	5	779	917	3,083	113	6
	Total	8,389	18	22	1,002	151	497	1,229	1,724	128	2,427	600	8,108	293	23
	Grand Total	28,339	45	46	5,907	437	1,790	3,835	3,989	497	7,642	3,277	27,591	748	169
	In 1886	28,334	79	80	5,456	446	1,903	4,633	4,044	304	7,884	3,039	27,390	844	99

Of the 27,591 cases disposed of in 1887 10,919 were tried on the merits, being about the same number as in 1886. Adding the cases decreed on confession or *ex-parte*, or on contest, or compromised, plaintiffs certainly succeeded in 17,256 cases out of the 27,591 cases decided, and they probably succeeded in a large number of those withdrawn and dismissed by default. Only 48 cases decided *ex-parte* were restored to the file, and as the refusal to restore is appealable, this small number is good evidence that the *ex-parte* order was acquiesced by the party against whom the order was made. I have no reason to think that applications to restore suits to the file are improperly refused. In the inspections made by District Officers and by myself attention is paid to the service of process in *ex-parte* cases. Some young officers, in their anxiety to procure the attendance of parties, have been found to insist on the successive issue of several summonses on defendant although returned duly served because the defendant did not appear.

One hundred and sixty-nine cases were referred to arbitration as compared with 99 in 1886. The Deputy Commissioner of the Arakan Hill Tracts referred 24 cases out of 118, and he reports that in every instance he suggested this course to the parties. The arbitrators appointed by him were tribal Chiefs. In the Henzada Small Cause Court 61 cases, or about three-eighths of the whole number referred in the province, were referred to arbitration. This result is probably due to the personal influence of the Judge.

The Moulmein Judge's Court shows a large outturn of work. Two thousand eight hundred and eight-three Small Cause Court cases were decided and 202 regular suits, of which 106 were contested. Besides this original business the Judge also disposed of 1,378 applications in execution.

7. The average duration of suits in Courts of original jurisdiction was as follows :—

Division.	Name of district.	Average duration of suits.			
		For previous year.		*For year of report.*	
		Contested.	Uncontested.	Contested.	Uncontested.
Arakan.	Akyab	36	20	22	14
	Akyab Small Cause Court	10	18	10	11
	Kyaukpyu	17	10	17	6
	Sandoway	19	11	21	10
	Northern Arakan	7	9	4	14
	Total ...	23	16	18	12
Pegu.	Hanthawaddy	28	20	19	11
	Pegu	37	18	25	15
	Pegu Small Cause Court	17	18	...	...
	Tharrawaddy	23	20	19	16
	Prome	25	17	22	14
	Prome Small Cause Court	17	13	12	11
	Judicial Commissioner, Lower Burma	...	...	...	...
	Total ...	27	18	21	13
Irrawaddy.	Henzada	19	11	13	8
	Henzada Small Cause Court	16	9	13	7
	Bassein	19	13	21	12
	Bassein Small Cause Court	6	7	8	8
	Thôngwa	21	16	21	13
	Thôngwa Small Cause Court	...	...	16	12
	Thayetmyo	15	12	16	12
	Thayetmyo Small Cause Court	14	9	8	4
	Total ...	18	13	19	12
Tenasserim.	Amherst	15	9	12	8
	Amherst Small Cause Court	14	11	13	10
	Shwegyin	16	7	22	15
	Shwegyin Small Cause Court	10	11	9	7
	Toungoo	22	9	13	9
	Toungoo Small Cause Court	12	10	10	8
	Tavoy	21	9	17	9
	Mergui	25	15	18	12
	Salween	14	20	25	10
	Moulmein Judge's Court	94	55	98	39
	Moulmein Small Cause side	34	22	33	22
	Total ...	24	14	23	15
	Grand Total ...	22	15	21	13

This table shows satisfactory results. In every district in the province, except Shwegyin and Thayetmyo, substantial reduction has been effected. These results are most marked in the districts of Akyab, Hanthawaddy, Pegu, Tharrawaddy, Prome, Henzada, Amherst, Toungoo, Tavoy, and Mergui. It is satisfactory to notice that in the Moulmein Judge's Court the duration of regular *ex-parte* cases has been reduced from 55 to 39 days.

On the whole the average duration of contested cases has been reduced from 22 to 21 days and uncontested cases from 15 to 13 days.

8. The following table shows the number of applications for execution and the degree in which the applications were satisfied :—

Division.	Name of district.	Number of applications for execution including those pending from last year.	Decrees completely executed.	Decrees partially executed.	Pending at close of year.
Arakan.	Akyab	623	254	108	22
	Akyab Small Cause Court	188	68	89	2
	Kyaukpyu	184	88	47	8
	Sandoway	43	21	16	...
	Northern Arakan	12	2	7	3
	Total	1,050	433	217	35
Pegu.	Hanthawaddy	262	87	49	14
	Pegu	508	174	125	19
	Tharrawaddy	331	168	54	5
	Tharrawaddy Small Cause Court	...	...	...	...
	Prome	411	226	79	11
	Prome Small Cause Court	9	1	5	...
	Judicial Commissioner, Lower Burma	...	...	...	...
	Total	1,521	651	312	49
Irrawaddy.	Henzada	241	61	51	21
	Henzada Small Cause Court	82	27	19	5
	Bassein	804	234	159	46
	Bassein Small Cause Court	74	22	8	2
	Thôngwa	797	193	94	43
	Thôngwa Small Cause Court	7	2	...	1
	Thayetmyo	197	72	30	12
	Thayetmyo Small Cause Court	...	...	...	...
	Total	2,202	611	361	130
Tenasserim.	Amherst	595	265	97	30
	Amherst Small Cause Court	21	5	...	1
	Shwegyin	395	118	119	14
	Shwegyin Small Cause Court	50	14	8	...
	Toungoo	257	93	56	9
	Toungoo Small Cause Court	109	22	8	...
	Tavoy	116	71	11	3
	Mergui	181	90	39	10
	Salween	6	4	...	...
	Moulmein Judge's Court	149	13	61	8
	Moulmein Small Cause side	1,341	140	329	104
	Total	3,220	835	728	188
	Grand Total	7,993	2,530	1,618	402
	In 1886	8,739	2,810	1,904	446

Out of the 7,591 applications in execution disposed of complete satisfaction was obtained in 33 per cent., the result being nearly the same as in 1886. The least satisfactory results have been obtained in the districts of Henzada, Bassein, Thôngwa, and in the Moulmein Judge's Court. The percentage of com-

plete satisfaction is highest in the districts of Kyaukpyu, Sandoway, Tharrawaddy, Prome, and Amherst.

9. In my report for 1884 I set out in detail the steps which had been taken in the Bassein district for the application of section 323, Code of Civil Procedure, for the protection of the Karens settled in that district. But little direct result can be traced to the measure, and indeed I do not think it is to be expected that very many cases will come before the Courts in which this form of relief can be adopted. Its results are to be looked for rather in preventing than in curing the evil at which it is aimed. The Myoôk within whose jurisdiction most of these Karen settlers live, himself a Karen, has given me an interesting report on the subject which I have printed in the Appendix. I also submit the notes of the Deputy Commissioner and of the Commissioner.

10. Processes of execution were issued as follows :—

Division.	Name of district.	Mode of execution.						Orders under section 243, Civil Procedure Code.
		Delivery of possession.	Imprisonment of person.	*Moveable property.*		*Immoveable property.*		
				Attached.	Sold.	Attached.	Sold.	
Arakan.	Aykab	21	12	112	45	77	48	...
	Akyab Small Cause Court	...	6	31	9	11	11	...
	Kyaukpyu	5	4	56	15	30	18	...
	Sandoway	...	5	11	7	10	4	...
	Northern Arakan	...	...	6	5	...	...	...
	Total ...	26	27	216	81	128	81	...
Pegu.	Hanthawaddy	...	8	63	40	37	25	...
	Pegu	1	5	129	42	67	44	...
	Tharrawaddy	11	13	64	27	58	30	...
	Tharrawaddy Small Cause Court ...	...	...	...	...	...	...	...
	Prome	6	6	89	47	140	50	...
	Prome Small Cause Court	...	...	6	2	...	...	...
	Judicial Commissioner, Lower Burma ...	...	...	...	...	...	...	...
	Total ...	18	32	351	158	302	149	...
Irrawaddy.	Henzada	5	2	47	24	27	22	...
	Henzada Small Cause Court	...	2	10	4	...	...	...
	Bassein	6	8	169	80	88	59	...
	Bassein Small Cause Court	...	...	11	5	3	2	...
	Thôngwa	4	10	109	45	78	37	...
	Thôngwa Small Cause Court	...	...	...	...	...	...	...
	Thayetmyo	...	11	28	9	19	7	...
	Thayetmyo Small Cause Court ...	...	...	...	...	...	...	...
	Total ...	15	33	374	167	210	127	...
Tenasserim.	Amherst	4	20	143	53	84	36	...
	Amherst Small Cause Court	...	...	4	...	...	...	...
	Shwegyin	1	15	84	30	61	29	...
	Shwegyin Small Cause Court ...	...	8	6	2	1	1	...
	Toungoo	...	3	48	18	54	30	...
	Toungoo Small Cause Court	...	7	16	8	...	...	...
	Tavoy	6	21	10	8	9	4	...
	Mergui	6	27	16	7	20	10	...
	Salween	...	...	...	...	2	1	...
	Moulmein Judge's Court	...	2	19	17	30	17	...
	Moulmein Small Cause side	...	29	76	50	...	...	...
	Total ...	17	132	422	188	261	137	...
	Grand Total ...	76	224	1,363	589	901	494	...
	In 1886 ...	49	282	1,547	760	1,109	660	...

The number of arrests during the past five years is shown below :—

1882	363
1883	456
1884	487
1885	377
1886	282

There has been a steady falling-off of this form of execution since 1884. It occurs most frequently in the coast districts, where the number of Natives of India is largest. Sales of moveable property have fallen from 780 to 587 and of immoveable property from 660 in 1886 to 494 in 1887. From enquiries which I am in the habit of making on my tours I believe that agricultural holdings are at present rarely looked to by decree-holders in realization of their decrees.

11. The following table shows the number of persons who applied to be declared insolvent :—

Division.	Name of district.	Number of persons who applied to be declared insolvent.	Number of applications granted.	Number dismissed or rejected.	Total disposed of.	Pending.	Remarks.
Arakan.	Akyab	18	9	8	17	1	
	Kyaukpyu	3	...	3	3	...	
	Sandoway	1	1	...	1	...	
	Northern Arakan	1	...	1	1	...	
	Total ...	23	10	12	22	1	
Pegu.	Hanthawaddy	5	4	1	5	...	
	Pegu	8	5	3	8	...	
	Tharrawaddy	5	...	5	5	...	
	Prome	7	2	4	7	...	1 withdrawn.
	Total ...	25	11	13	25	...	
Irrawaddy.	Henzada	24	11	4	18	6	8 withdrawn.
	Bassein	37	12	...	32	5	20 withdrawn.
	Thôngwa	22	12	4	21	1	5 withdrawn.
	Thayetmyo	1	1	...	1	...	
	Total ...	84	36	8	72	12	
Tenasserim.	Amherst	15	6	1	15	...	8 withdrawn.
	Shwegyin	5	2	1	5	...	2 withdrawn.
	Toungoo	8	5	2	8	...	1 withdrawn.
	Tavoy	12	3	8	11	1	
	Mergui	4	2	1	3	1	
	Salween	...	...	...	...	...	
	Moulmein	47	29	4	44	3	11 withdrawn.
	Total ...	91	47	17	86	5	
	Grand Total ...	223	104	50	205	18	51 withdrawn.

I expect that the bulk of these applications will disappear now that the law as to arrest is amended. The figures for 1887 are nearly identical with those of 1886.

12. The following table shows the number of appeals preferred to the Deputy Commissioner from the decrees of the subordinate Courts and the number in which the decrees appealed against were upheld :—

Division.	Name of district.	Number of appeals preferred.	Number of decrees confirmed.	Number of decrees modified.	Number of decrees reversed.
Arakan.	Akyab	71	42	1	7
	Kyaukpyu	57	39	7	9
	Sandoway	22	14	...	7
	Total ...	150	95	8	23
Pegu.	Hanthawaddy	48	29	2	12
	Pegu	48	37	1	7
	Tharrawaddy	96	65	7	16
	Prome	84	47	8	23
	Total ...	276	178	18	58
Irrawaddy.	Henzada	140	67	11	32
	Bassein	184	111	15	33
	Thôngwa	82	60	5	15
	Thayetmyo	56	34	1	17
	Total ...	462	272	32	97
Tenasserim.	Amherst	95	39	10	35
	Shwegyin	104	78	4	19
	Toungoo	52	38	2	11
	Tavoy	90	68	8	14
	Mergui	17	13	3	1
	Salween	1	1	...	...
	Total ...	359	232	22	80
	Grand Total ...	1,247	777	80	258
	In 1886 ...	1,229	729	68	265

Decrees were most frequently disturbed in appeal by the Deputy Commissioners of Prome, Henzada, Thayetmyo, and Amherst. On the whole decrees were reversed in 1887 in 23 per cent. of the appeals tried against 21 per cent. in 1886. I have examined the cases where the disturbance is most marked and it appeared to me that there was too much inclination to disturb findings of fact. I have lost no opportunity of calling attention to my printed decisions on the duty of a Civil Appellate Court in dealing with findings of fact by a Court of first instance. It was my duty in second appeal to completely restore no less than 36 decrees of Courts of first instance out of 106 appeals decided.

13. The following table shows the work of the Appellate Courts:—

Division.	Class of Appellate Court and name of presiding Judge.		Number of appeals on the files including those pending from last year and received by transfer.	Number transferred or dismissed for default.	Number confirmed.	Number reversed or modified.	Number remanded for re-decision by Lower Court.	Number left pending: For more than four months.	Number left pending: Total pending.	Average duration of appeals.
Arakan.	Mr. J. K. Macrae,	Akyab...	3	...	2	...	...	...	1	24
	Mr. D. Norton,	Akyab...	67	...	40	8	6	...	13	24
	Mr. H. Adamson,	Akyab...	1	...	...	...	1	...	...	34
	Mr. A. R. Birks,	Kyaukpyu...	3	...	2	1	...	...	...	31
	Mr. W. C. Midwinter,	Kyaukpyu...	2	...	...	2	...	...	..	38
	Mr. P. H. Martyr,	Kyaukpyu...	6	...	4	2	...	...	...	37
	Mr. A. E. Hurry,	Kyaukpyu...	46	...	33	11	1	...	1	21
	Major T. M. Jenkins,	Sandoway...	2	...	1	1	...	...	...	24
	Mr. H. G. Batten,	Sandoway...	13	...	8	5	...	...	...	25
	Mr. S. H. T. de la Courneuve,	Sandoway...	7	...	3	1	...	...	1	26
	Colonel G. A. Strover,	Arakan Division ..	5	1	4	...	...	...	...	25
		Total ...	155	1	99	31	8	...	16	25
Pegu.	Mr. T. C. Mitchell,	Hanthawaddy...	14	1	8	5	...	...	...	21
	Mr. J. K. Macrae,	Hanthawaddy...	34	1	21	9	...	...	3	18
	Mr. W. T. Hall,	Tharrawaddy...	20	...	13	5	2	...	...	33
	Mr. J. K. Macrae,	Tharrawaddy...	3	1	2	...	...	...	...	9
	Mr. H. Adamson,	Tharrawaddy...	54	...	38	16	...	...	...	20
	Mr. A. S. Fleming,	Tharrawaddy...	19	...	12	2	1	...	4	46
	Colonel C. W. Street,	Pegu Division...	9	2	4	3	...	...	...	37
	Mr. F. S. Copleston,	Prome...	34	1	17	11	5	...	2	19
	Mr. A. M. B. Irwin,	Pegu...	48	...	37	6	2	...	1	19
		Total ...	235	6	152	79	8	...	10	22
Irrawaddy.	Major J. Butler,	Henzada...	135	1	66	40	1	...	27	42
	Mr. A. E. Hurry,	Myanaung ..	5	1	1	3	...	..	...	21
	Mr. D. L. M. Mackay,	Bassein...	29	...	17	12	...	...	...	69
	Colonel W. W. Pemberton,	Bassein...	33	...	6	1	...	...	...	152
	Mr. A. R. Birks,	Bassein...	122	...	68	35	7	...	18	64
	Major C. B. Cooke,	Thôngwa...	63	1	45	16	1	...	...	28
	Lieutenant T. G. Johnson,	Thôngwa...	19	...	15	4	...	...	...	15
	Major C. A. Cresswell,	Thayetmyo...	56	...	34	18	2	...	2	20
	Mr. W. de C. Ireland,	Irrawaddy Division...	2	...	...	...	...	2	2	...
		Total ...	464	3	272	129	11	2	49	46
Tenasserim.	Colonel W. W. Pemberton,	Amherst...	93	2	39	45	5	...	4	17
	Mr. K. G. Burne,	Shwegyin...	66	...	42	18	6	...	2	9
	Mr. H. P. Todd-Naylor,	Shwegyin...	16	...	11	5	...	...	...	8
	Mr. W. C. Midwinter,	Toungoo...	31	...	21	9	1	...	...	31
	Colonel W. G. Hughes,	Toungoo...	21	...	17	4	...	...	...	44
	Mr. W. C. Midwinter,	Tavoy...	14	...	11	3	...	...	...	14
	Colonel W. W. Pemberton,	Tavoy...	56	...	39	9	2	...	...	10
	Mr. D. L. M. Mackay,	Tavoy...	20	...	18	5	...	...	3	6
	Mr. T. C. Mitchell,	Mergui...	17	...	13	4	...	...	...	19
	Mr. F. S. Stowell,	Salween...	1	...	1	...	...	...	...	22
	Colonel W. C. Plant,	Tenasserim Division...	10	...	5	2	1	...	2	84
		Total ...	369	2	227	104	15	...	11	16
		Grand Total ...	1,273	12	700	343	42	2	86	29
		In 1896 ...	1,941	12	732	337	35	3	125	35

This table shows a very satisfactory reduction of average duration of appeals, from 55 days in 1886 to 29 days in 1887, although the average is greatly disturbed by the long pending cases before Colonel Pemberton while at Bassein. Since this officer's transfer to Amherst he has disposed of the appeals before him with commendable promptitude.

14. The following table shows the financial result of the rules framed under section 20 of the Court-fees Act regulating the fees chargeable for serving processes and remuneration of peons of the Civil Courts :—

Division.	Name of district.	Number of processes issued.	Receipts from process fees.	Charges, including salaries of process-servers, contingencies, &c.
			Rs. A. P.	Rs. A. P.
Arakan.	Akyab	8,947	6,438 8 0	6,865 0 0
	Kyaukpyu	2,768	1,850 8 0	1,738 1 0
	Sandoway	1,013	783 0 0	669 11 0
	Northern Arakan	...	...	...
	Total ...	12,728	9,072 0 0	9,272 12 0
Pegu.	Hanthawaddy	3,230	2,455 0 0	3,676 3 9
	Pegu	5,475	5,120 7 0	3,570 3 0
	Tharrawaddy	6,895	4,283 8 0	4,816 13 3
	Prome	7,356	4,617 12 0	5,761 4 9
	Total ...	22,956	16,476 11 0	17,824 8 9
Irrawaddy.	Henzada	7,130	4,694 8 0	4,567 1 0
	Bassein	11,896	7,924 0 0	6,760 12 0
	Thôngwa	9,987	6,516 8 0	6,849 2 4
	Thayetmyo	2,994	2,216 2 0	2,783 3 0
	Total ...	32,007	21,351 2 0	20,460 2 4
Tenasserim.	Amherst	5,458	4,166 0 0	4,442 8 0
	Shwegyin	5,788	3,665 8 0	3,169 *5 1
	Toungoo	4,055	3,087 10 0	2,292 0 0
	Tavoy	2,713	1,724 8 0	1,687 0 0
	Mergui	1,633	1,239 0 0	1,473 7 8
	Salween	104	72 0 0	88 0 0
	Moulmein	9,015	8,928 12 0	4,527 0 8
	Total ...	28,766	22,883 6 0	17,579 5 0
	Grand Total ...	96,457	69,783 3 0	65,136 12 1
	In 1886 ...	101,095	88,496 14 0	69,701 13 5

On the whole the revised scale of process fees sanctioned by the Government of India and introduced in October 1886 has been worked at a profit of Rs. 4,565, the receipts being Rs. 69,733 and the expenditure Rs. 65,136. Under present arrangements the whole of the cost of the salaries of the bailiffs falls on the civil and criminal process funds although fully a third of the time of the bailiff is occupied with revenue business. In some of the districts the expenditure has exceeded the receipts. Last October I revised the establishments, which in some cases were needlessly large. I shall continue to watch the financial results of the new rules. In 1885 the receipts were Rs. 98,651. The amount of litigation in the two years has been about the same. The figures in the margin show that the reduction of the fees has in no way diminished the expedition with which cases have been tried, and the substantial reduction of Rs. 29,918 on civil process fees has been effected in favour of suitors.

	Average contested.	Average uncontested.
1885 ...	24	14
1887 ..	21	18

15. The following table shows the number of regular appeals decided in the Court of the Judicial Commissioner :—

Division.	Name of Commissioner or Deputy Commissioner from whose decision appeal was made.	Appeals admitted.	Decision reversed.	Decision modified.	Decision confirmed.	Dismissed for default.	Remanded.	Total disposed of.	Pending.
Arakan.	Deputy Commissioner of Akyab ...	7	5	...	2	...	...	7	...
	Deputy Commissioner of Kyaukpyu ...	1	...	...	...	...	...	...	1
	Commissioner of Arakan	4	2	...	1	...	...	3	1
	Total ...	12	7	...	3	...	...	10	2
Pegu.	Deputy Commissioner of Hanthawaddy ...	9	1	1	4	...	...	6	3
	Deputy Commissioner of Pegu ...	6	...	...	5	...	...	5	1
	Assistant Commissioner of Paungdè ...	1	...	...	1	...	...	1	...
	Deputy Commissioner of Tharrawaddy ...	12	...	...	10	1	...	11	1
	Deputy Commissioner of Prome ...	17	3	...	9	1	1	14	3
	Commissioner of Pegu	4	1	1	1	...	...	3	1
	Total ...	49	5	2	30	2	1	40	9
Irrawaddy.	Deputy Commissioner of Henzada ...	1	1	...	...	...	...	1	...
	Assistant Commissioner of Henzada	1	...	...	...	1	...	1	...
	Deputy Commissioner of Bassein ...	16	7	...	3	3	...	13	3
	Deputy Commissioner of Thôngwa ...	16	8	3	5	...	...	16	...
	Deputy Commissioner of Thayetmyo ...	4	2	...	1	1	...	4	...
	Total ...	38	18	3	9	5	...	35	3
Tenasserim.	Deputy Commissioner of Amherst ...	3	1	1	3	...	...	5	3
	Deputy Commissioner of Shwegyin ...	6	2	...	2	...	...	4	2
	Deputy Commissioner of Toungoo ...	9	1	1	2	2	...	6	3
	Deputy Commissioner of Tavoy ...	6*	2	...	1	...	...	3	2
	Deputy Commissioner of Mergui ...	1	...	...	1	...	...	1	...
	Judge of Moulmein	2†	...	...	1	...	...	1	...
	Commissioner of Tenasserim	1	...	...	...	1	...	1	...
	Total ...	33	6	2	10	3	...	21	10
	Grand Total ...	132	36	7	52	10	1	106	24
	In 1886 ...	127	28	5	62	7	...	102	25

* One transferred. † One transferred.

16. The following table shows the miscellaneous appeals, *i.e.*, from decisions other than those passed in regular suits disposed of in the Court of the Judicial Commissioner:—

Division.	Name of Commissioner or Deputy Commissioner from whose decision appeal was made.	Decision reversed.	Decision modified.	Decision confirmed.	Dismissed for default.	Total disposed of.	Pending.
Arakan.	Deputy Commissioner of Akyab ...	...	...	1	...	1	...
	Commissioner of Arakan ...	1	...	...	...	2*	...
	Total ...	1	...	1	...	3	...
Pegu.	Deputy Commissioner of Hanthawaddy ...	...	...	5	...	5	...
	Deputy Commissioner of Pegu ...	2	...	4	...	6	...
	Assistant Commissioner of Pegu ...	1	...	...	...	1	...
	Deputy Commissioner of Tharrawaddy ...	...	...	1	...	1	...
	Deputy Commissioner of Prome ...	...	...	1	...	1	...
	Commissioner of Pegu	...	...	...	...	2*	...
	Judicial Commissioner of Lower Burma	1	...	14	2	17	(Review of judgment.)
	Total ...	4	...	25	2	33	...
Irrawaddy.	Deputy Commissioner of Bassein ...	...	...	2	...	2	...
	Assistant Commissioner of Bassein ...	...	...	...	...	...	1
	Assistant Commissioner of Ngathainggyaung	...	...	1	...	1	...
	Deputy Commissioner of Thôngwa ...	1	...	1	...	3*	1
	Deputy Commissioner of Thayetmyo ...	...	...	1	...	1	...
	Commissioner of Irrawaddy	...	...	1	...	1	...
	Assistant Commissioner of Pyapôn ...	...	...	1	...	1	...
	Total ...	1	...	7	...	9	2*
Tenasserim.	Deputy Commissioner of Amherst ...	...	...	1	...	1	...
	Deputy Commissioner of Toungoo ...	...	...	2	...	2	...
	Sitkè of Toungoo	1	...	...	...	1	...
	Commissioner of Tenasserim	...	...	2	...	2	1
	Total ...	1	...	5	...	6	1
	Grand Total ...	7	...	38	2	51	3
	In 1886 ...	3	...	6	...	9	...

* Four transferred.

17. The following table shows the work of the Judicial Commissioner as a Court of revision :—

Division.	Name of Commissioner, Deputy Commissioner, Assistant Commissioner, or Extra Assistant Commissioner from whose decision revision was made.	Revision admitted.	Decision reversed.	Decision modified.	Decision confirmed.	Dismissed for default.	Remanded.	Total disposed of.	Pending.
Akaran.	Deputy Commissioner of Akyab ...	1	...	...	1	...	...	1	...
	Deputy Commissioner of Kyaukpyu ...	1	...	...	...	...	...	...	1
	Total ...	2	...	...	1	...	...	1	1
Pegu.	Deputy Commissioner of Hanthawaddy ...	5	...	...	4	...	...	4	1
	Deputy Commissioner of Pegu ...	2	...	...	1	1	...	2	...
	Deputy Commissioner of Tharrawaddy ...	1*	...	...	...	...	...	...	...
	Deputy Commissioner of Prome ...	3*	...	...	2	...	...	2	...
	Assistant Commissioner of Paungdè ...	1	...	...	1	...	...	1	...
	Assistant Commissioner of Pegu ...	2	...	...	2	...	...	2	...
	Myoôk of Kawa	1	...	...	1	...	...	1	...
	Commissioner of Pegu	3	...	...	2	1	...	3	...
	Total ...	18	...	...	13	2	...	15	1
Irrawaddy.	Small Cause Court of Henzada ...	2	...	...	1	1	...	2	...
	Assistant Commissioner of Henzada ...	1	...	...	1	...	...	1	...
	Deputy Commissioner of Bassein ...	1*	...	...	...	...	...	...	...
	Deputy Commissioner of Thôngwa ...	4	...	...	4	...	...	4	...
	Commissioner of Irrawaddy	1	...	...	1	...	...	1	...
	Total ...	9	...	...	7	1	...	8	...
Tenasserim.	Deputy Commissioner of Amherst ...	1	...	...	1	...	...	1	...
	Deputy Commissioner of Shweggyin ...	1	...	...	1	...	...	1	...
	Deputy Commissioner of Tavoy ...	1	...	...	1	...	...	1	...
	Small Cause Court of Toungoo... ...	4	...	...	2	1	...	3	1
	Myoôk of Balugyun	1	...	1	...	...	...	1	...
	Commissioner of Tenasserim	1	...	...	1	...	...	1	...
	Total ...	9	...	1	6	1	...	8	1
	Grand Total ...	38	...	1	27	4	...	32	3
	In 1886 ...	41	5	1	32	1	...	39	2

* Three transferred.

18. The following table shows the number and result of references to the Judicial Commissioner:—

Division.	Court making the reference.	Number of reference.	Ruling adverse.	Ruling in concurrence with opinion of referring Court.	Heard as appeals.	Total disposed of.	Pending.
Arakan.	Deputy Commissioner of Akyab	2	2	...	...	2	...
	Total ...	2	2	...	...	2	...
Pegu.	Deputy Commissioner of Prome	2	...	2	...	2	...
	Total ...	2	...	2	...	2	...
Irrawaddy.	Deputy Commissioner of Bassein	2*	...	...	...	...	1
	Deputy Commissioner of Thôngwa	3*	...	1	...	1	1
	Deputy Commissioner of Thayetmyo	1	...	1	...	1	...
	Commissioner of Irrawaddy	1	...	...	...	...	1
	Total ...	7	...	2	...	2	3
Tenasserim.	Deputy Commissioner of Amherst	1*	...	...	...	...	...
	Commissioner of Tenasserim	1	...	1	...	1	...
	Total ...	2	...	1	...	1	..
	Grand Total ...	13	2	5	...	7	3
	In 1886 ...	11	1	5	2	8	3

* Three transferred.

19. *Costs of Litigation.*—The percentages of costs to values for the last six years have been as follows:—

	Original.	Appeal.	Execution.
1882	14·58	20·31	1·79
1883	15·38	17·50	3·49
1884	15·65	20·31	2·53
1885	14·10	19·22	1·97
1886	14·56	15·09	1·90
1887	11·71	14·20	·94

These figures show a substantial and satisfactory reduction in 1887, the first year during which the revised scale of process fees has been in full operation.

The highest percentages in original cases occurred in the following districts:—

District.	Percentage.	Average value of original suits. Rs.
Sandoway	32·73	25
Kyaukpyu	26·00	43
Tharrawaddy	25·83	47
Tavoy	24·40	50

The lowest were in—

Moulmein Judge's Court	10·54	293
Akyab	11·02	109

20. *Advocates.*—The total number of Advocates in this Court and the Courts subordinate to this Court is 509. Of these, 59 are Advocates of the 1st

grade, of whom 46 are in actual practice in Burma. Twenty-four of them are Barristers.

There are 119 2nd grade Advocates and 331 3rd grade Advocates on th rolls.

In May 1887 the Educational Syndicate held an examination for the admission of Advocates. Seven candidates presented themselves, and of these all failed save one, who passed in the 2nd grade. I think the time has come for the re-consideration of the abolition of the 3rd grade standard of examination.

21. At the close of the year the civil judicial and miscellaneous forms were revised. Rules have been framed for the arrangement of the files of civil judicial proceedings and for their despatch to the district record-room. The district record-keepers have been relieved of the duty of keeping registers of civil suits. The files of decided cases are now sent into the district record-rooms with lists which serve the purpose of a record-room's index. Rules sanctioned by the Government of India for the destruction of useless records have been introduced, and some progress has been made in the sorting and destruction of the older papers. Increased attention has been paid to the registration and punching of court-fee stamps. District libraries have been examined and are generally in good condition, and are properly arranged. In my Criminal Justice Report for 1886 I have given a list of the districts visited by me, and I have there named the officers who have done commendable work in inspections. In my tours I meet with much evidence of increasing attention to the orderly and regular discharge of civil judicial business. The statistics to which I have drawn attention in this report mark general and permanent improvement.

22. I have been in charge of the office throughout the year.

W. F. MERES,

Offg. Judicial Commissioner, Lower Burma.

APPENDICES.

Endorsement by G. J. S. HODGKINSON, Esq., C.S.I., Commissioner of the Irrawaddy Division,—dated the 10th February 1888.

FORWARDED in original to the Registrar, Judicial Commissioner's Court.

I only took charge of the division two days before the end of the year and my predecessor has left me no notes on the subjects treated in the report. I regret that I am therefore unable to add any remarks.

From A. R. BIRKS, Esq., Deputy Commissioner, Bassein, to the Commissioner of the Irrawaddy Division.—No. 112, dated the 30th January 1888.

I HAVE the honour to submit the Thigwin Extra Assistant Commissioner's report on the success of the measures adopted for the protection of Karen suitors, which speaks for itself. The measures adopted must be considered to have been very satisfactory, as the Extra Assistant Commissioner, who is a Karen himself, has reported that only four execution cases were filed in his Court during the year in which Karens were concerned, but that the action did not go further than the attachment. There were no execution cases filed in the Kangyidaung Court in which Karens were concerned.

From MAUNG OGH, Extra Assistant Commissioner, Thigwin, to the Deputy Commissioner, Bassein,—dated the 3rd January 1888.

I BEG to submit the following report for 1887 on the action taken under sections 320 to 325 of the Civil Procedure Code.

It is gratifying to think over the benefits derived by the Karens from the administration of the British Government during the year that has just come to a close. The wise provisions made under sections 320 to 325 of the Civil Procedure Code, regarding the transfer of the jurisdiction of the subordinate Courts to the Collector in execution cases where their immoveable property are proceeded against, have done much for them. These provisions deter moneylenders, although indirectly, from taking unfair means in proceeding against their immoveable property even in regular suits. These must be considered to be a boon to them which cannot be easily forgotten. They will prove more and more beneficial year by year, and in a course of a few years it is hoped they will extirpate the deeply-rooted usurious system adopted by the grasping and avaricious moneylenders and establish fair dealings. During the said year there was not a single case filed in my Court to which the abovementioned sections are applicable. This is not owing to slack of work; on the contrary it shows the efficaciousness of the provisions above alluded to. It shows that the ignorant and credulous Karens were much less harassed with lawsuits by members of other races, who, perhaps, have a larger share of intellectual abilities in the year in question than they had hitherto been.

2. Strictly interpreted the sections mentioned above have little to do with my Court. The only thing that I have to do in cases falling under them is to submit them to the Collector. However, I took steps to prevent the Karens from being oppressed. They are these—

(*a*) While on tour I explained to them every time I had an opportunity the provisions so wisely made on their behalf. The moneylenders were also informed regarding them.

(*b*) Careful and thorough inquiries were always made in cases where transfers of immoveable property were made out of Court by the Karens to members of other races. Investigations of this nature often brought to light the *exorbitant* demands made by the creditors on their helpless debtors. In such cases the creditors were careful not to bring their claims before the Court and were satisfied with what they ought reasonably to get. The result of adopting the step of making inquiries is far from being unsatisfactory. It lessens in a great measure the tendency of bringing the Karens to Court to extort ruinous promises from them. It stops in no small degree the practice of threatening them with lawsuits to make them enter into transactions against their will. It sobers down the moneylenders and makes them content with what is justly due to them instead of taking advantage of their debtors' ignorance and credulity which is too often resorted to.

(*c*) I tried to explain to the Karens the injurious consequences of executing renewed bonds. I advised them to have recourse to Court to obtain the remedy prescribed by law when they were required to do so, and made them understand that there their interest would be guarded from the engine of oppression so often used by wily moneylenders. I hope this explanation will prevent them in some measure from running headlong into ruinous debts.

(*d*) Besides what is stated above I adopted the measures of encouraging the Karens to come to Court, giving time to liquidate their debts in cases of

poverty or when hard-pressed by their creditors, and advising them not to deliver over their immoveable property to others without an order from Court as mentioned in my report of last year.

3. The only drawback is that the Karens are lamentably deficient in keeping accounts. On account of this deficiency the adjudication of cases in which they are involved is rendered most difficult and they can be easily imposed upon. The only way to wipe off this stain is to encourge them to educate their children. Education has found its way into the Christian Karen communities, but it has made very little headway among their non-Christian brethren although Government schools have been established for them. The latter are under the impression that their children will be converted to the Christian faith if they send them to such schools. I have tried my best to dispel this notion, telling them that they are Government schools, have nothing to do with religion, and have been established for their temporal welfare only, but almost without effect. However, it appears to me that they are beginning to open their eyes in the direction of the path of wisdom, and it is hoped that they will cast off their prejudices and wrong notions in a course of a few years and will come forward to partake of the benefits and advantages derived from civilization.

4. There were four execution cases filed in my Court during the year for which this report is made between Karens and members of other races. These were forwarded to the record-room in Bassein some time ago. A list of these cases is attached herewith for your kind perusal.

5. In conclusion the deep thanks of the Karens are due to the British Government for its wise and benevolent administration, and to you the head executive officer of the district.

Judicial Statement No. 1 (Civil).

Showing the Number of Judicial Divisions and the Number of Officers exercising Appellate or Original Jurisdiction in Lower Burma on the last day of the year 1887 with the Cost of Tribunals.

Name of Province.	Area.	Population.	Number of divisions for Courts under Chief Court, but superior to Chief Courts of districts.	Number of districts.	Number of sub-districts.	Total number of officers exercising original or appellate jurisdiction.					Total number of cases decided.				Total receipts of the Courts.	Total charges of the Courts.	Remarks.		
						Judges of Chief Court of province.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of districts.	Judges of Districts others than Chief Courts.	Judges of other subordinate Courts.	Original.		Appeals.						
											Regular.	Miscellaneous.	Regular.	Miscellaneous.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18		
	Square miles.														Rs. A. P.	Rs. A. P.	Grades of Judicial Officers.	European.	Natives.
Territory subject to the High Court. — Civil ...	86,205	3,722,272	4	19	31	3	4	18	8	127	32,563	5,062	1,336	109	3,97,612 2 2	6,13,311 15 8	Officers exercising both original and appellate jurisdiction. — Judicial Commissioner...	1	..
Territory subject to the High Court. — Criminal	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....	Recorder of Rangoon ..	1	...
																	Additional Recordor ...	1	...
																	Commissioners ...	4	...
Territory subject to the High Court. — Revenue...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....	Deputy Commissioners	18	...
Territory not subject to the High Court. — Civil ...	1,015	14,499	...	1	...	...	...	1	...	...	118	3	...	...	.....	704 7 9	Assistant Commissioners with appellate powers.	2	...
Territory not subject to the High Court. — Criminal...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....	Officers exercising original jurisdiction only. — Small Cause Court Judges.	2	2
																	Assistant Commissioners	12	1
																	Extra Assistant Commissioners.	4	23
Territory not subject to the High Court. — Revenue...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	.....	.....	Myooks	4	65
Total ...	87,220	3,736,771	4	20	31	3	4	19	8	127	32,681	5,065	1,336	109	3,97,612 2 2	6,14,016 7 5	Unpaid Judges ...	...	1

JUDICIAL STATEMENT No. 7 (CIVIL).

Showing the Number and Description of Suits Instituted in the Civil and Revenue Courts in Lower Burma in the year 1887.

Class of Tribunals.	SUITS FOR MONEY OR MOVEABLE PROPERTY										SUITS UNDER THE RENT LAW.								TITLE AND OTHER SUITS.														
	Contract in writing.	Contract not in writing.	On account stated.	Money lent and received.	Goods sold.	Wages, work, and materials	Breach of contract not mentioned above	Rent not falling under the rent law.	Moveable property or value thereof.	Damages.	Arrears of rent with or without ejectment or cancelment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damage for extortion or withholding receipts, or on account of illegal restraint or other cause.	For pottahs or kabulyats.	For ejectment or recovery of possession.	For recovery of money or accounts from agents.	All other suits under the rent law not included above.	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts, or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Inter-pleader suits.	Dissolution of partnership.	Suits under section 801, Act X of 1865 (also Hindu Wills Act).	Other suits not falling under any of the previous heads	Grand total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
COURTS IN THE INTERIOR.																																			
I.—Civil Courts.																																			
Unpaid Tribunals ...	18	47	...	...	100	24	...	...	13	21	...	...	...	...	...	...	...	...	5	...	...	...	...	...	...	3	...	...	...	...	...	...	...	231
Village Courts ...	4,089	3,904	117	672	2,132	1,178	...	388	2,649	2,544	...	...	...	...	...	...	...	...	924	20	15	33	23	5	85	425	167	60	...	21	5	2	...	39	29,610
Paid Subdivisional Tribunals ...	358	154	6	34	124	55	...	92	63	101	...	...	...	...	...	...	...	...	67	3	2	1	6	1	1	18	12	6	...	...	1	...	...	4	1,130
Small Cause Courts ...	2,101	639	152	265	1,046	470	...	118	250	65	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	5,078
District Courts other than Chief Courts of Districts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Courts of Districts ...	61	6	5	66	19	6	...	1	28	13	...	...	...	...	...	...	...	...	20	1	4	77	5	7	...	1	1	28	3	1	...	31	...	7	2	1	407
Total ...	6,647	4,750	280	1,037	4,304	1,735	..	599	3,003	2,645	...	...	...	...	...	...	...	...	1,036	24	24	111	43	10	...	87	447	205	69	1	21	37	6	9	2	44	27,456
II.—Revenue Courts.																																			
Unpaid Local Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Collector's Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Courts at the Presidency or Seat of Government.																																			
Presidency Small Cause Courts...	3,044	837	11	170	568	359	578	68	19	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	15	6	1	...	...	...	...	...	...	27	4,667
Superior Courts ...	80	2	2	4	4	4	1	9	32	7	...	...	...	...	...	...	...	...	62	1	3	9	...	1	...	1	...	...	...	...	...	2	...	1	...	...	244
Total ...	3,094	839	13	174	572	363	579	77	44	7	...	...	...	...	...	...	...	...	62	1	3	9	...	1	...	16	6	1	...	...	...	2	...	1	...	27	4,911
GRAND TOTAL ...	9,741	5,589	293	1,211	4,876	2,098	579	676	3,047	2,652	...	...	...	...	...	...	...	...	1,098	25	27	120	43	11	...	87	463	211	90	1	21	39	6	10	2	71	32,367

JUDICIAL STATEMENT No. 8 (CIVIL).

Showing the Number and Value of Suits Instituted in the Civil and Revenue Courts in Lower Burma in the year 1887.

Class of Tribunals.	NUMBER OF SUITS INSTITUTED IN THE DIFFERENT COURTS.									Total value of suits.	Remarks.
	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Not exceeding Rs. 1,000.	Not exceeding Rs. 5,000.	Not exceeding Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
COURTS IN THE INTERIOR.										Rs. A. P.	
I.—Civil Courts.											
Unpaid Tribunals	80	104	33	11	...	...	...	...	3	6,402 6 2	
Village Courts	3,225	8,303	4,321	3,296	123	41	...	...	624	14,17,771 0 11	
Paid Subdivisional Tribunals	20	414	154	169	88	62	...	...	35	2,56,371 9 9	
Small Cause Courts	1,074	2,469	869	606	60	...	...	...	...	3,01,969 12 11	
District Courts other than Chief Courts of Districts	...	...	...	...	...	...	...	...	...	...	
Chief Courts of Districts	...	10	57	32	78	55	115	27	18	15	9,11,727 4 10
Total	4,407	11,932	5,409	4,163	326	218	27	18	677	28,96,262 2 7	
II.—Revenue Courts.											
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	...	
Collectors' Court	...	...	...	...	...	...	...	...	...	...	
Total	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.											
Presidency Small Cause Courts	565	2,062	798	1,038	164	...	...	...	...	4,70,156 1 11	
Superior Courts	...	6	1	22	15	135	22	9	34	6,86,723 9 6	
Total	565	2,068	799	1,060	179	135	22	9	34	11,56,880 11 5	
GRAND TOTAL	5,252	14,040	6,208	5,222	505	353	49	27	711	40,53,142 14 0	

JUDICIAL STATEMENT No. 9 (CIVIL).

Statement showing the General Result of the Trial of Civil and Revenue Cases in the Courts of Original Jurisdiction in Lower Burma in the year 1887.

PART I.—Civil Suits.

Class of Tribunal	Total number of suits before the Courts.	NUMBER OF SUITS DISPOSED OF										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	AVERAGE DURATION OF CASES.		Remarks.
		Transferred to Courts in other provinces.	Without trial.	WITHOUT CONTEST.				ON REFERENCE TO ARBITRATION.		WITH CONTEST.				Contested.	Uncontested.	
				Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—Civil Courts.																
Unpaid Tribunals	230	...	49	24	53	17	...	...	...	78	11	...	...	9·	1·	
Village Courts	21,123	...	5,061	1,387	2,939	2,989	423	46	21	5,777	2,567	518	13	23·	12·	
Paid Subdivisional Tribunals	1,187	...	197	139	168	156	54	5	...	295	149	94	1	23·	14·	
Small Cause Courts	5,338	...	1,041	218	938	1,463	19	51	16	1,556	387	159	28	22·	15·	
District Courts other than Chief Courts of Districts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of Districts	461	...	44	23	54	64	1	28	...	136	63	47	15	66·	28·	
Total ...	28,339	...	6,392	1,790	3,835	3,989	497	123	37	7,842	3,277	748	57	21·	13·	
II.—Revenue Courts.																
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Collectors' Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.																
Presidency Small Cause Courts	5,179	...	824	323	637	1,908	44	...	...	788	301	354	102	46·	26·	
Superior Courts	321	...	23	16	47	57	1	2	...	83	37	56	23	127·	53·	
Total ...	5,500	...	845	339	684	1,965	45	2	...	871	338	410	125	54	27·	
GRAND TOTAL ...	33,839	...	7,238	2,129	4,519	5,954	542	134	37	8,513	3,615	1,158	182	24·	15·	

JUDICIAL STATEMENT No. 9 (CIVIL).

Showing the General Result of the Trial of Civil and Revenue Cases in the Courts of Original Jurisdiction in Lower Burma in the year 1887.

PART II.—Miscellaneous Cases (Judicial).

Class of Tribunals.	Total number of cases before the Courts.	NUMBER OF SUITS DISPOSED OF										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases contested and uncontested.	Remarks.
		Transferred to Courts in other provinces.	Without trial.	WITHOUT CONTEST.				ON REFERENCE TO ARBITRATION.		WITH CONTEST.					
				Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
COURTS IN THE INTERIOR.															
I.—Civil Courts.															
Unpaid Tribunals	15	...	1	1	4	...	...	...	...	7	2	...	...	6·	
Village Courts	2,392	...	600	146	46	153	65	15	4	863	445	56	...	10·	
Paid Subdivisional Tribunals	320	...	64	17	11	53	14	...	...	109	51	11	...	12·	
Small Cause Courts	315	...	39	...	32	63	29	...	...	93	34	6	...	9·	
District Courts other than Chief Courts of Districts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of Districts	662	...	145	5	14	142	37	...	...	160	103	56	2	20·	
Total	3,704	...	839	169	107	431	145	15	4	1,230	635	129	2	12·	
II.—Revenue Courts.															
Unpaid Local Tribunals*	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Collectors' Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.															
Presidency Small Cause Courts	1,281	...	904	9	3	24	10	...	...	196	66	69	12	18·	
Superior Courts	290	...	37	2	3	79	8	...	...	101	48	12	...	39·	
Total	1,571	...	941	11	6	103	18	...	...	297	114	81	12	22·	
GRAND TOTAL	5,275	...	1,780	180	113	534	163	15	4	1,527	749	210	14	15·	

JUDICIAL STATEMENT No. 10 (CIVIL).

Showing the Business of the Civil and Revenue Appellate Courts of Lower Burma in the year 1887.

PART I.—Appeals from Decrees.

Class of Tribunals.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	HEARD EX-PARTE.				CONTESTED.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 95, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
APPEALS FROM ORIGINAL DECREES.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of Districts	34	...	...	1	1	...	...	...	17	6	9	...	...	...	62	...	
Chief Appellate Courts of Districts	1,213	...	25	8	92	1	7	5	642	73	242	36	82	...	29	...	
Superior Appellate Courts other than Chief Court of Province ...	26	...	1	3	...	...	...	...	12	...	5	1	4	2	52	...	
Total ...	1,273	...	26	12	93	1	7	5	671	79	256	37	86	2	29	...	
B.—Revenue Courts.																	
Collectors' Appellate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.																	
Chief Court of Province — Appeals from original decrees	13	...	7	...	...	...	...	...	...	1	3	...	2	...	100	...	
Chief Court of Province — Appeals from appellate decrees	130	...	13	10	5	...	3	1	35	7	33	...	24	10	76	...	
Chief Court of Province — Civil revisions	35	...	25	4	...	...	...	...	2	1	...	...	3	...	24	...	
Total ...	178	...	44	14	5	...	3	1	37	9	36	...	29	10	69	...	
GRAND TOTAL ...	1,451	...	70	26	98	1	10	6	708	88	292	37	115	12	33	...	

JUDICIAL STATEMENT No. 10 (CIVIL).

Showing the Business of the Civil and Revenue Appellate Courts of Lower Burma for the year 1887.

PART II.—Miscellaneous Appeals (Judicial).

Class of Tribunals	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	HEARD EX-PARTE.				CONTESTED.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
APPEALS FROM ORIGINAL DECREES.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of Districts	1	...	...	...	1	...	...	...	...	...	...	...	...	...	63	...	
Chief Appellate Courts of Districts	54	...	5	3	9	1	6	...	12	1	14	1	2	...	24	...	
Superior Appellate Courts other than Chief Court of Province	10	...	3	1	...	...	...	...	4	...	1	...	1	...	17	...	
Total ...	65	...	8	4	10	1	6	...	16	1	15	1	3	...	23	...	
B.—Revenue Courts.																	
Collectors' Appellate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government.																	
Chief Court of Province { Appeals from original decrees ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Court of Province { Appeals from appellate decrees ...	50	...	31	2	2	...	...	...	5	...	7	...	3	1	24	...	
Total ...	50	...	31	2	2	...	...	...	5	...	7	...	3	1	24	...	
GRAND TOTAL ...	115	...	39	6	12	1	6	...	21	1	22	1	6	1	23	..	

JUDICIAL STATEMENT No. 11 (CIVIL).

Showing the Result of Proceedings on Applications for the Execution of the Decrees of the Civil and Revenue Courts in Lower Burma in the year 1887.

Class of Tribunals.	Total number of applications for the execution of decrees before the Courts.	APPLICATIONS DISPOSED OF				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	AMOUNT REALISED		NUMBER OF APPLICATIONS											
		By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.			With the issue of process.	Without the issue of process.	On which the judgment-debtor was imprisoned.	On which the judgment-debtor was arrested, but released without imprisonment.	On which moveable property		On which immoveable property			On which possession was given.		On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than in the preceding columns.	Remarks.
												Was sold.	Was attached, but subsequently released.	Was sold.	Was dealt with under sections 305, 823, or 830, Act XIV of 1882.	Was attached, but subsequently released under section 276.	Of moveables	Of immoveables.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
COURTS IN THE INTERIOR.								Rs. A. P.	Rs. A. P.													
I.—Civil Courts.																						
Unpaid Tribunals	36	...	9	...	27	...	...	169 0 0	...	...	5	...	...	...	...	4	...	...	...	...	...	
Village Courts	5,319	...	1,985	974	2,116	244	17	1,99,533 11 3	10,498 11 0	148	627	425	618	209	80	266	16	50	2	1	98	
Paid Subdivisional Tribunals ...	454	...	175	192	137	20	...	53,631 7 4	129 1 0	16	77	52	65	51	6	20	1	7	...	...	...	
Small Cause Courts	1,917	...	320	425	1,057	115	...	26,932 7 1	...	53	385	75	• 85	14	...	1	...	...	...	...	139	
District Courts other than Chief Courts of Districts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of Districts	267	...	41	97	106	23	2	3,01,848 9 9	329 5 0	5	92	37	6	30	...	14	...	2	...	...	92	
Superior Courts...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	7,993	...	2,530	1,618	3,443	402	19	4,82,115 2 5	11,057 1 0	224	1,316	589	774	494	86	407	17	59	2	1	182	
II.—Revenue Courts.—Nil.																						
Courts at the Presidency or Seat of Government.																						
Presidency Small Cause Courts ...	2,805	186	451	559	1,528	81	6	41,472 15 9	1,436 12 6	134	156	60	75	...	...	...	...	...	...	...	285	
Superior Courts ...	229	17	55	74	78	5	...	3,30,736 15	28,617 0 0	3	20	3	2	58	...	13	...	2	5	1	22	
Total ...	3,304	203	506	633	1,606	86	6	3,72,209 14 10	30,053 12 6	137	476	63	77	58	...	13	...	2	5	1	307	
GRAND TOTAL ...	11,027	203	3,036	2,251	5,049	488	27	8,44,325 1 3	41,110 13 6	361	1,792	652	851	552	86	420	17	61	7	2	489	

JUDICIAL STATEMENT No. 12 (CIVIL).

Showing the Number and Result of Applications and Proceedings under Chapter XX, Act XIV of 1882, in Lower Burma in the year 1887.

Class of Tribunals.	APPLICATIONS FOR A DECLARATION OF INSOLVENCY.								Number of Insolvents discharged during the year under section 355.	Number of Insolvents' estates in the hands of receivers in which proceedings were finally closed during the year.	AMOUNT OF CREDITORS' CLAIMS DEALT WITH DURING THE YEAR.		GROSS AMOUNT OF INSOLVENTS' ASSETS REALISED AND DISBURSED.		Remarks.
	Total number of hearing.	Transferred to another province, withdrawn, &c.	Granted.		Rejected.			Pending at the close of the year.			Admitted.	Satisfied.	Realised during the year.	Disbursed during the year.	
			A receiver being appointed.	A receiver not being appointed.	Penal proceedings under section 359 not being taken.	Sentence of imprisonment being passed under section 359.	Applicant being sent to the Magistrate to be dealt with.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
											Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Courts other than Chief Courts of Districts.	32	4	9	13	6	...	...	7	15	2	4,428 10 0	605 5 0	327 3 9	110 10 11	
Chief Courts of Districts	223	51	10	94	43	2	5	18	10	...	468 6 0	.....	128 12 6	.....	
Superior Courts...	2	...	1	...	...	...	...	1	...	...	33,033 6 0	1,731 2 9	3,470 8 3	3,081 11 0	
Total ...	257	55	13	107	49	2	5	26	25	2	36,930 6 0	2,336 7 9	3,926 8 6	3,192 5 11	

JUDICIAL STATEMENT No. 13 (CIVIL AND CRIMINAL).

Showing use of Jurors and Assessors in the Civil and Criminal Courts in Lower Burma in the year 1887.

Classes of Courts in which Jurors or Assessors are employed, distinguishing Criminal from Civil Courts.		Established or average number of jury or assessors in each case, and prescribed qualifications.	Number of cases tried by jury.	Number of cases tried with assessors.	Cases in which the judge approved of the verdict.	JURY TRIALS.				ASSESSORS' TRIALS.			Remarks.
						Cases in which the judge did not approve of the verdict.		Number of persons of the verdict in respect to whom the judge disapproved.		Number of cases in which judge agreed with assessors.	Number of cases in which judge differed from		
						Wholly.	Partially.	Whose cases he referred under section 307, C. P. Code.	Whose cases he did not refer under section 307, C. P. Code.		One assessor.	Both assessors.	
1		2	3	4	5	6	7	8	9	10	11	12	13
I.—Civil Courts.													
Chief Courts of Districts (or officer specially empowered) acting under Act X of 1870.	Assessors	...	...	1	...	...	...	...	...	...	1	...	
II.—Criminal Courts.													
Magistrates' Courts under Chapter X, C P. Code	Jurors	...	...	...	...	...	...	...	...	...	...	...	
Courts of Session	Jurors	...	...	...	...	...	...	...	...	...	...	...	
	Assessors	...	...	...	...	...	...	...	...	...	...	...	
High Court, Original Criminal Jurisdiction	Jurors	...	...	...	...	...	...	...	...	...	...	...	
	Total	...	...	1	...	...	...	...	...	...	1	...	

Statement showing the Total Value in Litigation and Costs for all Classes of Civil Cases, including Executions of Decrees and other Miscellaneous Applications, Disposed of in the different Classes of Courts in Lower Burma, during the year 1887.

Name of District or Court	ORIGINAL.										APPEAL.		
			COSTS OF CASES.										COSTS OF CASES.
	Total number of cases	Total value of cases.	Total amount of court fees, including process fees.	Total amount of process fees	Total amount of diet-money paid to witnesses	Total amount of advocates' fees	Total amount of fees for commissions and other miscellaneous charges	Total	Percentage of total costs to total value of cases.	Total number of cases	Total value of cases	Total amount of court-fees, including process fees
1	2	3	4	5	6	7	8	9	10	11	12	13
		Rs. A P	Rs. A. P	Rs. A P	Rs. A. P	Rs A. P	Rs A P.	Rs A. P.			Rs. A P	Rs. A P.
Akyab	2,198	3,69,697 13 0	22,906 1 0	3,930 0 0	2,116 8 0	15,318 13 9	406 2 6	40,747 9 3	11·02	75	12,214 10 8	1,089 2 0
Kyaukpyu	639	27,509 4 6	3,581 13 0	1,362 0 0	1,550 0 0	2,019 2 0	.....	7,150 15 0	26·00	64	4,964 0 1	541 12 0
Sandoway	297	7,327 8 0	1,254 14 0	517 0 0	710 12 0	438 9 4	.....	2,398 3 4	32·73	21	1,045 8 6	177 4 0
Arakan Hill Tracts	118	6,642 11 3	.. ...	.. ..	.....	.. ..	.. ..	.....	...	.	..	.....
Commissioner of Arakan	.	.	.	.	.	.	.	.	.	.	.	.
Hanthawaddy	989	1,15 601 4 6	9,068 5 0	1,589 14 0	1 099 13 0	4,915 11 8	...	15,096 13 8	13·06	9	66 650 12 0	1,120 4 0
Pegu	1,770	2,08,851 13 7	21,236 3 0	3 091 8 0	1,803 3 0	7,907 3 7	137 8 0	31,083 1 7	14 88	51	6,398 7 9	725 14 0
Tharrawaddy	1,832	65,961 14 2	12,097 8 0	3,486 1 0	2,096 0 0	6,950 11 0	57 12 0	22,901 15 0	25·83	47	3,253 4 11	781 2 0
Prome	1,849	1,16,176 11 5	11,723 6 0	3,205 8 0	2,298 9 0	3,501 0 2	968 1 0	18,581 0 2	16·00	82	12,503 7 0	1,195 12 0
Commissioner of Pegu	.	.	.	.	.	.	.	.	.	.	.	.
Thongwa	3,244	2,15,335 2 8	21,942 10 0	5,004 8 0	3,398 4 0	6,751 9 2	302 11 0	32,448 11 2	15·07	12	24,268 1 0	1 347 8 0
Bassein	3,448	2,94 326 7 6	27,116 6 0	5,296 8 0	3,964 1 0	13,564 7 4	184 4 0	44,849 2 4	15·24	85	17,142 8 1	1,808 4 0
Henzada	2,039	1,08 589 9 5	13,203 4 0	3,595 0 0	2,954 4 0	5,390 5 1	334 10 0	20,772 7 1	19·13	113	10 500 4 8	1,295 14 0
Thayetmyo	1,065	57,494 4 0	6,603 6 0	1,616 6 0	1,416 4 0	1,502 12 11	379 4 0	10,908 10 11	17·75	55	5,496 3 0	511 2 0
Commissioner of Irrawaddy	.	.	.	.	.	.	.	.	.	1	.	14 0 0
Amherst	1 627	1,28,282 3 2	12 471 0 0	2,803 8 0	1,762 8 0	3,054 4 8	146 12 0	17,434 8 8	13·59	94	12,264 0 8	792 0 0
Shwegyin	1,429	93,994 0 0	7,442 0 0	1,764 0 0	2,099 8 0	3,622 8 0	17 0 0	13,061 0 0	14·05	102	7,966 0 0	1,164 0 0
Toungoo	1,141	1,08,894 6 7	9,312 7 0	1,171 8 0	1,537 4 2	6,272 7 1	315 4 0	17 457 6 3	16·03	53	11,227 1 8	1,103 10 0
Tavoy	515	25,788 9 7	3,527 7 0	1,293 8 0	1,525 15 0	974 11 5	289 1 0	6 297 2 5	24 40	88	8,707 15 0	1,023 2 0
Mergui	466	31 094 15 5	3,464 13 0	873 8 0	768 0 0	2,509 10 11	64 0 0	6 836 7 11	21·96	17	1,921 12 5	163 14 0
Salween	40	2,645 3 3	299 0 0	45 8 0	35 0 0	.....	.....	334 0 0	12·74	1	455 13 4	33 0 0
Judge of Moulmein	2,885	8,45,080 12 0	50,092 2 0	4,983 0 0	2,627 0 0	33,015 1 1	3,363 13 0	99,098 0 1	10·54	..	..	..
Commissioner of Tenasserim	...	...	...	...	...	...	...	...	...	.	.	.
Judicial Commissioner	...	...	...	...	...	...	...	...	...	9	95,113 11 7	1,193 1 0
Rangoon Small Cause Courts	...	...	...	...	...	...	...	...	...	185	73,617 0 9	3,516 4 0
Recorders' Courts	4,925	4,93,292 2 9	46,085 1 0	7,356 0 0	3 434 4 0	8,900 6 0	26 10 0	58,536 5 0	11·86	.	.	...
Special Court	965	13,48,206 9 0	44,263 0 0	1,835 7 0	1 877 8 0	47,276 8 0	1,290 4 0	94,697 4 0	7·02	.	.	.
	...	...	...	...	...	...	...	...	...	11	46,658 12 0	2,920 12 0
Total	32,681	46,89,923 5 9	3,27,690 10 0	54,775 4 0	39,089 9 2	1,74,159 8 2	8,336 0 6	5,49,275 11 10	11 71	1,445	4,11,912 6 2	24,462 2 0

Statement showing the Total Value in Litigation and Costs for all Classes of Civil Cases, including Executions of Decrees and other Miscellaneous Applications, Disposed of in the different Classes of Courts in Lower Burma during the year 1887—(continued).

Name of District or Court.	APPEAL—(concluded).						EXECUTION OF DECREES.					
	Costs of cases—(concluded).								Costs of cases.			
	Total amount of process fees	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total.	Percentage of total costs to total value of cases.	Total number of cases.	Total value of cases.	Total amount of court-fees, including process fees.	Total amount of process fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.
1	14	15	16	17	18	19	20	21	23	23	24	25
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Akyab	202 0 0	.....	1,222 10 0	287 0 0	2,508 12 0	21·27	797	3,77,634 3 6	2,421 0 0	1,851 8 0	.....	.....
Kyaukpyu	104 0 0	.....	591 0 0	9 0 0	1,141 12 0	23·00	176	6,166 3 1	440 0 0	283 5 0	16 12 0	10 0 0
Sandoway	46 0 0	.....	170 0 0	98 0 0	445 4 0	4·58	43	1,844 9 5	261 10 0	231 8 0	.....	.....
Arakan Hill Tracts	.....	.....	.....	.....	.....	...	9	407 0 9	.....	.....	.....	.....
Commissioner of Arakan	18 0 0	.....	600 8 4	.....	1,920 12 4	9·23	...	.....	.....	.....	.....	.....
Hanthawaddy	122 0 0	.....	1,147 4 6	195 5 0	1,969 5 6	24·00	248	42,468 14 6	626 8 0	407 8 0	7 8 0	.....
Pegu	100 8 0	.....	509 9 10	130 8 0	1,430 12 10	17·21	489	1,05,717 9 8	1,878 14 0	1,231 8 0	5 8 0	.....
Tharrawaddy	192 0 0	.....	1,336 7 8	.....	2,532 3 8	26·09	326	32,501 12 2	758 14 0	549 0 0	.....	.....
Prome	223 0 0	.....	1,540 0 0	258 12 0	3,179 5 0	25·43	409	61,992 13 2	881 6 0	662 0 0	.....	.....
Commissioner of Pegu	60 0 0	.....	1,851 12 10	19 9 8	3,218 14 4	19·26	...	.....	.....	.....	.....	.....
Thôugwa	224 0 0	.....	623 0 0	372 2 0	2,503 6 0	14·20	780	90,221 13 1	1,731 14 0	1,130 0 0	6 0 0	20 0 0
Bassein	409 8 0	.....	3,553 10 8	300 4 0	5,843 12 8	25·38	630	2,22,391 12 0	2,312 2 0	1,455 8 0	47 0 0	10 0 0
Henzada	304 0 0	.....	2,291 2 4	575 12 11	3,965 0 3	37·76	297	90,694 11 11	827 14 0	498 0 0	13 0 0	22 8 0
Thayetmyo	121 0 0	.....	704 13 8	208 8 0	1,434 7 8	25·32	185	21,819 7 7	479 0 0	313 0 0	3 0 0	.....
Commissioner of Irrawaddy	3 0 0	.....	.....	.....	14 0 0	...	...	.....	.....	.....	.....	.....
Amherst	146 0 0	.....	1,039 8 0	61 12 0	1,913 14 0	14·42	576	97,974 9 3	1,353 14 0	869 8 0	5 0 0	.....
Shwegyin	354 8 0	.....	420 0 0	.....	1,584 0 0	21·79	431	40,093 0 0	805 0 0	1,548 0 0	2 0 0	.....
Toungoo	234 0 0	.....	1,111 8 4	66 0 0	2,301 2 4	20·31	357	37,342 13 5	1,041 2 0	681 8 0	.....	.....
Tavoy	120 0 0	.....	425 5 4	.....	1,447 10 4	16·22	113	7,252 11 3	359 8 0	193 0 0	12 15 3	.....
Mergui	45 0 0	.....	216 14 4	.....	390 12 4	19·73	171	17,839 6 3	374 9 0	255 0 0	.....	.....
Salween	.....	.....	.....	.....	35 0 0	7·69	6	2,017 7 7	15 8 0	6 8 0	.....	.....
Judge of Moulmein	.....	.....	.....	.....	.....	...	1,378	6,79,101 8 0	3,952 14 0	2,319 8 0	4 0 0	.....
Commissioner of Tenasserim	26 0 0	.....	1,333 9 6	42 2 0	2,568 12 6	9·84	...	.....	.....	.....	.....	.....
Judicial Commissioner	349 0 0	.....	6,082 0 8	529 14 6	10,068 3 2	13·67	...	.....	.....	.....	.....	.....
Rangoon Small Cause Courts	.....	.....	.....	.....	.....	...	2,643	3,14,246 3 7	3,448 6 0	2,515 2 0	32 12 0	24 0 0
Recorders' Courts	.....	.....	.....	.....	.....	...	219	7,07,567 12 2	617 3 0	368 0 0	.....	65 0 0
Special Court	69 0 0	.....	3,536 10 8	416 6 0	6,153 14 8	15·18	...	.....	.....	.....	.....	.....
Total ...	3,564 8 0	.....	30,646 5 8	3,541 15 11	58,651 1 7	14·20	10,453	28,90,510 6 4	24,532 2 0	17,185 15 0	154 7 3	186 8 0

Statement showing the Total Value in Litigation and Costs for all Classes of Civil Cases, including Executions of Decrees and other Miscellaneous Applications, Disposed of in the different Classes of Courts in Lower Burma during the year 1887—(concluded).

Name of District or Court.	EXECUTION OF DECREES—(concluded).			MISCELLANEOUS.								
	Cost of cases—(concluded).		Percentage of total costs to total value of cases.	Total number of cases.	Total value of cases.	Cost of cases.						Percentage of total costs to total value.
	Total amount of fees for commissions and other miscellaneous charges.	Total.				Total amount of court-fees, including process fees.	Total amount of process fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total.	
1	26	27	28	29	30	31	32	33	34	35	36	37
	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Akyab	68 4 0	2,489 4 0	·66	239	55,859 7 5	737 11 0	503 8 0	91 8 0	157 8 0	9 11 0	998 6 0	1·78
Kyaukpyu	33 8 1	500 4 1	6·12	116	8,089 9 0	199 9 0	107 2 0	88 12 0	35 0 0	4 6 0	337 13 0	3·76
Sandoway	0 4 0	261 14 0	14·15	18	1,063 6 9	35 4 0	24 0 0	10 8 0	10 0 0	.....	55 12 0	5·22
Arakan Hill Tracts	.....	.....	...	3	529 3 0	.....	.....	.....	.....	.....	.....	...
Commissioner of Arakan	.....	.....	...	.....	.....	.....	.....	.....	.....	.....	.....	...
Hanthawaddy	193 4 11	763 4 11	1·79	156	17,770 1 8	633 13 0	345 3 0	245 10 6	261 8 0	109 7 0	1,999 6 6	11·08
Pegu	59 0 0	1,943 6 0	1·92	279	75,932 9 9	825 5 9	507 10 0	332 14 0	529 12 0	135 6 0	1,873 7 9	2·49
Tharrawaddy	14 6 0	768 4 0	2·26	256	14,995 3 8	586 3 0	291 8 0	133 12 0	382 10 0	.....	1,102 9 0	7·36
Prome	89 10 0	971 0 0	1·67	366	1,09,874 8 4	1,733 6 0	396 0 0	167 4 0	1,518 14 4	186 11 0	3,606 3 4	3·28
Commissioner of Pegu	.....	.....	...	.....	.....	.....	.....	.....	.....	.....	.....	...
Thôngwa	64 7 0	1,822 5 0	2·01	340	43,957 13 1	1,008 15 0	653 0 0	290 0 0	617 0 0	58 9 0	1,995 8 0	4·45
Bassein	344 3 9	2,718 5 9	1·23	666	1,81,356 3 11	1,168 8 0	762 8 0	250 4 0	848 0 0	63 5 0	2,330 1 0	1·28
Henzada	58 0 0	921 6 0	4·45	253	21,632 12 3	515 7 0	302 8 0	128 4 0	347 8 0	59 1 0	1,050 4 0	4·85
Thayetmyo	139 13 0	621 13 0	2·65	111	19,454 12 4	234 14 0	148 0 0	123 8 0	70 0 0	42 8 0	470 14 0	3·78
Commissioner of Irrawaddy	.....	.....	...	.....	.....	.....	.....	.....	.....	.....	.....	...
Amherst	11 9 7	1,380 7 7	1·40	315	70,291 9 3	637 3 0	347 0 0	195 0 0	330 0 0	97 0 0	1,169 3 0	1·66
Shwegyin	.....	807 0 0	2·01	180	12,824 0 0	309 8 0	168 4 0	109 8 0	131 0 0	.....	550 0 0	4·28
Toungoo	169 0 0	1,210 2 0	3·24	217	20,501 14 4	420 4 0	205 4 0	117 0 0	484 0 0	32 9 0	1,053 12 0	5·14
Tavoy	32 3 0	354 10 3	4·62	27	4,304 8 3	113 1 0	78 0 0	23 4 0	.....	14 12 0	151 1 0	3·51
Mergui	6 0 0	380 9 0	2·13	29	7,261 13 0	194 13 0	69 0 0	26 4 0	75 0 0	.....	295 1 0	4·10
Salween	.....	15 8 0	·74	6	3,154 9 0	14 8 0	11 8 0	14 0 0	.....	.....	39 8 0	·30
Judge of Moulmein	1,104 0 0	5,060 14 0	·75	257	1,46,277 8 0	1,396 3 0	684 8 0	300 8 0	1,149 0 0	366 0 0	3,231 11 0	2·17
Commissioner of Tenasserim	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Judicial Commissioner	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Rangoon Small Cause Courts	.....	3,509 2 0	1·11	1,212	90,488 6 7	1,035 15 0	572 10 6	287 0 0	784 0 0	.....	2,106 15 0	2·32
Recorder's Courts	2 9 3	704 12 3	·09	278	17,89,397 3 3	26,971 11 0	1,441 1 0	.....	1,513 0 0	2,176 0 0	30,660 11 0	1·71
Special Court	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Total	2,325 2 7	27,196 3 10	·94	5,065	26,89,737 3 10	38,765 1 9	7,538 2 6	2,955 12 6	9,963 12 4	3,305 8 0	55,000 2 7	2·04